

WPA 24739 of 2023

Barsha Gupta
Vs.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
Ms. Pritha Biswas
Ms. Upasna Sarkar
.... for the petitioner

Ms. Sima Adhikary
Mr. Kaustav Chatterjee
.... for the State

Mr. Sourav Mitra
.... for the CSSC

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
.... for WBBSE

1. Let affidavit-of-service, as filed in Court, be kept on record.
2. In spite of service, none appears on behalf of the school authorities.
3. The petitioner's application for transfer stood rejected by the school authority on September 4, 2021 on the ground that the petitioner does not fall within the 10% of teachers eligible for transfer.
4. It appears that a long time has elapsed from the date of rejection of the petitioner's prayer. The staff strength of the school may have changed within these four year period.

5. In view of the above, the instant writ petition stands disposed of with the observation that it will be open for the petitioner to apply afresh seeking transfer.
6. In the event such an application for transfer is made by the petitioner, then the same shall be considered by the head of the institution in accordance with law at the earliest.
7. If the application of the petitioner is allowed, then necessary consequential steps shall be taken by the authority without any further delay.
8. Since the 'Utsashree Portal' is suspended, the application will be made in the offline mode and be considered by the school and other authorities in the offline mode.
9. With the aforestated directions, the writ petition is, thus, disposed of.
10. There shall, however, be no order as to costs.
11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)