

17TH JULY, 2026
Item no.D/L 26
Court No. 24
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 29043 of 2025**

In the matter of:
Nakul Garai & Anr.
VS.
.... Petitioners

The State of West Bengal & Ors.
....Respondents

For the Petitioners:
Mr. Abhijit Bhattacharyya
....Advocate

For the State:
Ms. Mary Datta
Ms. Sneha Chatterjee
....Advocates

For the Private respondents:
Mr. Subir Sanyal, Sr. Adv.
Mr. Chittapriya Ghosh
Mr. Suman Mukherjee
....Advocates

1. Affidavit of service filed in Court today is taken on record.
2. The petitioners claim to be the parents of students who are studying in Sasa Netaji Adarsha High School. They allege that the private respondents were serving as teachers in the said school. Due to their transfer to other schools there are no other teachers to teach the students in Sasa Netaji Adarsha High School.
3. The petitioners pray for a direction upon the respondents to revert the private respondents, teachers, back to the school.
4. Learned advocate representing the private respondents opposes the prayer of the petitioner.
5. Upon hearing the submissions made on behalf of both the parties, it appears that the private respondents have been transferred from the subject school following the transfer policy prevailing in the State.

The guardians of the students hardly have any role to play in the matter of transfer of a teacher of a school.

6. The guardians may be aggrieved due to dearth of teachers. The guardians ought to approach the District Inspector of Schools with their prayer for appointment of teachers in the school so that the studies of the students do not hamper.
7. The guardians do not have any right to pray for retransfer of the teachers who have already been transferred.
8. In view of the above, no relief can be granted to the petitioner in the instant writ petition. The writ petition fails and is hereby dismissed.
9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)