

13-06-2022
ct no. 13
Sl. 88
sp

WPA 247 of 2022

Kakali Basak

-Versus-

The State of West Bengal & Ors.

**Mr. Sakti Pada Jana,
Mr. Subhrajyoti Das**

....for the petitioner

**Mr. Sutanu Kumar Patra,
Ms. Supriya Dubey**

..for the WBCSSC

**Mr. Anindya Bose,
Mr. Arindam Mondal,
Mr. Diptendu Mondal,
Mr. Nikhil Gupta**

...for the respondent no. 7

**Mr. Amit Baran Dash,
Mr. K.M. Hossain**

...for the respondent no.8

The petitioner's application for transfer was rejected on the ground that the same would be in violation of the 10% of the total teaching staff of school Rule. Admittedly, there are two more English Teachers in the concerned school.

The petitioner is required to travel 105 kilometers to attend the existing school, namely, Udaypur Balika Bidyaniketan, Uttar Dinajpur.

In that view of the matter, the petitioner's application may be considered and processed by the D.I. of Schools (SE), Uttar Dinajpur. The application of the petitioner for transfer shall be

forwarded by the HOI to the D.I. of Schools for further processing in accordance with the 2015 Rules.

This Court is of the view that the 10% of the total teaching staff rule should not stand in the way of the petitioner's transfer.

It is expected that a suitable decision is taken by the D.I. of Schools and the Commission, within a period of four weeks from date.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)