

16. 03 . 2022

BP
Sl.36
Court No. 17.

WPA 326 of 2022

Samir Panja
Vs.
The State of West Bengal & Ors.

Mr. Biswarup Biswas
Mr. G.C. Samanta
... for the Petitioner.

Mr. Swapan Banerjee
Mr. Sougata Mitra
..for the State.

Dr. S.K. Patra
Ms. Supriya Dubey
..for SSC.

Affidavit of service filed in court today be kept on record.

The petitioner filed an application for transfer from his present school to other school on 10th August, 2021. His application has been sent back to him by the Head of the institution on 28th August, 2021 on the ground of single teacher. The question of single teacher arose not before September, 2021 as amendment to the General Transfer Rules, 2015 was made in September, 2021. The amendment does not have any retrospective effect. Therefore, the application of the petitioner is to be considered under the unamended General Transfer Rules of 2015. The decision of the Head of institution is set

aside and quashed.

The Head of the institution is directed to forward the application to his higher authority within a period of seven days from the date of communication of this order so that the application for transfer can be processed.

With this direction, this writ application is disposed of.

(Abhijit Gangopadhyay, J.)

