

18.02.2022

BP
Sl.291
Court No. 17.

WPA 1143 of 2022

Mahuya Banerjee Chatterjee
Vs.
The State of West Bengal & Ors.

Mr. Subhrangsu Panda
... for the Petitioner.
Dr. S.K. Patra
Ms. Supriya Dubey
..for SSC.

Mr. B.P. Vaisya
Mr. Ranjan Saha
..for the State.

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

The petitioner filed an application for her transfer from present school to another school as a case of general transfer through Utsoshree portal. The application was filed by the petitioner for transfer on 8th August, 2021 and the application was returned on the ground of single teacher on 01.09.2021. However, the West Bengal School Service Commission (General Transfer, Transfer on Special Grounds and Re-allocation) Rules 2015 was amended by one notification dated 8th September, 2021. Therefore, the case of the petitioner is not guided by the amended rule. The petitioner's case will be guided by the unamended rule which was notified on 11th March, 2015 i.e. the Rule of 2015.

I direct the School Service Commission to take appropriate steps in respect of the application of the petitioner for transfer in accordance with the said 2015 Rule within a period of six weeks from the date of communication of this order.

The rejection for transfer issued to the petitioner by the School Service Commission at page 70 of the writ application is set aside and quashed in view of the observation made above.

With this direction and observation, this writ application is disposed of.

(Abhijit Gangopadhyay, J.)

