

24. 02. 2022
BP
Sl. 288
Court No. 17

WPA 1230 of 2022
(Via Video Conference)

Subrata Biswas
Vs.
The State of West Bengal & Ors.

Mr. Ujjal Roy
..for the petitioner.

Mr. Asish Kumar Guha
Mr. Naren Ghosh Dastidar
..for the State.

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

The petitioner filed an application for his transfer from one school to another school on 14th August, 2021. Subsequently he on his own took back the application as he could not enclose therewith a document as to his father's illness. Thereafter he re-forwarded the application on 12th September, 2021.

By 12th September, 2021 one notification dated 08.09.2021 was published amending the General Transfer Rules 2015. Subsequently one memo was issued by the School Education Department, Government of West Bengal in respect of transfer of single teacher which was dated 22nd September, 2021

and thereafter one gazette notification was issued by the School Education Department, Government of West Bengal dated 3rd January, 2022. Now the petitioner's case would be guided by the General Transfer Rules 2015 as amended by the amendment dated 08.09.2021 and the notification dated 22.09.2021.

Thereafter, the said DI of schools will take steps in accordance with the said amended rules and the notification. However, in this matter the petitioner's re-forwarded application has come back to him on the ground of single teacher on the basis of the amendment to the General Transfer Rules, 2015 on 8th September, 2021.

Therefore, I direct the School Managing Committee to forward the application to the concerned District Inspector of Schools stating that he is a single teacher and the concerned District Inspector of Schools is directed to take steps as indicated above.

The order of rejection dated 16th September, 2021 is set aside and quashed as otherwise the petitioner's application will not be considered by the concerned authorities.

With this observation, this writ application is disposed of.

(Abhijit Gangopadhyay, J.)

