

23.08.2022.
Court No.13
Item No. 394
ap

W.P.A. No. 3804 of 2022

**Debjani Pattanayak
Versus
The State of West Bengal & Ors.**

Mr. Ujjal Ray.

...For the petitioner.

Mr. Swapan Banerjee,
Mr. Sougata Mitra.

..For the State.

Mr. Jayanta Mitra.

...For the respondent nos.7, 8 & 9.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey.

..For the WBCSSC.

Affidavit-of-service filed in Court today be taken
on record.

The School is represented.

It is submitted that five teachers had applied for
transfer and the petitioner was not the seniormost and
was, therefore, hit by the 10% Rule.

Mr. Ray, Counsel for the petitioner, submits that
two of the said applications of other teachers are on
medical ground and three persons have been
transferred in total.

This leaves the petitioner's application as one of
two pending applications for transfer.

Apart from the fact that 10% Rule, since after
the amendment, remains diluted, the petitioner's
application for transfer even otherwise not hit any
more, even if the 10% Rule was applied.

In that view of the matter, the Head of the Institution shall forward the petitioner's application to the District Inspector of Schools (SE), Purulia which shall be processed by the other authorities within a period of three weeks from date.

Upon transfer of the petitioner in terms of the Rules, the respondent shall appoint a suitable number of teacher/teachers in terms of the School's requirement immediately.

Since no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed to have not been admitted by the respondents.

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

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)