

16.06.2022.
Court No.13
Item No. 81
pk

W.P.A. No. 3819 of 2022

**Kamal Das
Versus
The State of West Bengal & Ors.**

Mr. Subhrangsu Panda,
Ms. Ina Bhattacharya,
Ms. Mithu Singha Mahapatra
...For the petitioner.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey.
..For the WBCSSC.

Mr. Pantu Deb Roy
... for the State.

The petitioner's application for transfer has been rejected on the ground that he is the only teacher in the subject in the school. The distance between the school and the petitioner's residence is 55 kilometers.

Since the single teacher bar does not exist anymore, the order of rejection dated 27.8.2021 shall stand set aside. The Head of the Institution shall forward the petitioner's application to the concerned D. I. of Schools with "No Objection Certificate".

The D. I. of Schools shall in consultation with the School Service Commission take appropriate steps in terms of the Rules of 2015 as amended from time to time within a period of six weeks from the date of communication of a copy of this order.

If the vacancies in the school identified by the petitioner are not available as on the date of

recommendation, a school nearest to the chosen schools shall be offered to the petitioner.

It is made absolutely clear that no such school is available or identified or accepted by the petitioner, the application for transfer shall stand automatically exhausted.

With the aforesaid observations, the writ petition is 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.)