

13.06.2022.
Court No.13
Item No. 98
ap

W.P.A. No. 3892 of 2022

**Anindya Som
Versus
The State of West Bengal & Ors.**

Mr. Balai Lal Sahoo,
Mr. Sankha Prasad Ray.

...For the petitioner.

Mr. Supriya Chattopadhyay,
Mr. Pinaki Bhattacharya.

..For the State.

Mr. Gobinda Chandra Baidya.

...For the respondent nos.10 & 11.

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

The petitioner is aggrieved that her application
for transfer has been rejected on the ground that she
is the only teacher (single teacher) for the subject
being taught in the School.

It is submitted across the Bar that there is
another writ petition filed by the petitioner, in
connection with non-disposal of her application for
transfer by the School Authority. The said writ
application has become infructuous, since the reply to
the petitioner's request declining the same on the
ground of a single teacher availability.

Counsel of the School submits that there are
about 1250 students in the School and 22 teachers as
of now and applications are already pending
requesting for transfer of some teachers. It is further

submitted that the Administration of the School would greatly suffer if the petitioner is transferred.

This Court is of the view that given the amendment to the Rules dated 3rd January, 2022, the petitioner's application cannot be rejected on the ground of single teacher. Hence, the Head of the Institution shall forward the petitioner's request for onward process by the concerned District Inspector of Schools (SE) and CSE in terms of the 2015 Rules (as amended).

Since it is submitted that the teacher student ratio in the School is very poor, the District Inspector of Schools (SE), South 24 Parganas, and the Central School Service Commission, shall take immediate steps for appointment of more teachers in the instant School.

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.)