

02.08.2022.
Court No.13
Item No. 150
ap

W.P.A. No. 4466 of 2022
Rajjak Hossain Sarkar
Versus
The State of West Bengal & Ors.

Mr. Subhrangsu Panda,
Ms. Ina Bhattacharyya,
Ms. Mithu Singha Mahapatra

...For the petitioner.

Ms. Chaitali Bhattacharya,
Mr. Subhendu Roychoudhury.

..For the State.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey.

..For the WBCSSC.

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

The learned counsel for the petitioner submits
that his client's application for transfer has been
refused by the head of the Institution by application of
10 per cent Rule. It is submitted by the counsel that
the 10 per cent Rule has been applied, on a
miscalculation of the strength of the teachers vis-à-vis
the pending applications as on date.

In those circumstances, the petitioner's
application for transfer and the application of the 10
per cent Rule shall be revisited by the head of the
Institution as on date. Based on the assessment
afresh, suitable steps shall be taken by the head of the
Institution in accordance with the 2015 Rules.

The impugned order shall stand set aside.

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.)