

19.07.2022
Court No.13
Item No.133
AP

WPA 4537 of 2022

Sonali Debnath
Vs.
The State of West Bengal and 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. Bhaskar Prosad Vaisya
Mr. Suman Dey
... For the State.

Mr. S.P. Pahari
Mr. Mrinal Kanti Biswas
... For the Respondent No.7.

The petitioner's application for transfer has been rejected in the year 2021 by applying the 10% rule.

In these circumstances, the petitioner may apply afresh under the Utsashree Portal since according to the counsel for the petitioner new teachers have joined in place of the teachers already transferred in the earlier year. According to the petitioner the 10% rule is no longer a bar.

The Head of the Institution may consider the petitioner's application afresh and assess as to whether the petitioner is currently hit by the 10% rule or not. Due consideration shall be given to the statements made in paragraph 7 of the writ petition by the Head of the Institution.

Let the Head of the Institution shall consider the petitioner's application within a period of two weeks from the date of communication of a copy of this order.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)