

19.07.2022
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NS Ct.13

W.P.A No. 5337 of 2022

Paban Chandra Biswas
Vs.
The State of West Bengal & Ors.

Mr. Ujjal Ray ... for the petitioner.

Mr. Biswabrata Basu Mallick,
Mr. Sayan Ganguly .. for the State.

Mr. Sourav Mitra,
Mr. Suman Dey ... for the Central SSC.

Mr. Arif Ali,
Mr. Arnab Sardar ... for the respondent no.9.

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

The petitioner's initial application dated 16th
August, 2021 was rejected on the ground of 10% Rule.
The petitioner has applied afresh for transfer on 10th
April, 2022.

Let the same be considered afresh by the school
authorities. It shall be borne in mind that if calculation
of 10% Rule of the total strength of teachers leads to a
fraction, the same shall be considered as the next
numerical.

For example, if there are 22 teachers in a
school, 10% would be 2.2 teachers, which shall be treated
as 3. This has already mentioned in the Rules itself.

In such circumstances, the school authority can take a decision on the petitioner's application for transfer within a period of two weeks from the date of communication of this order.

W.P.A. No.5337 of 2022 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.)