

123
jdt.

26.07.2022
jb.

W.P.A. 5599 of 2022
(Madhumita Das vs. State of West Bengal & Ors.)

Mr. Subhas Jana
.... For the Petitioner

Dr. Sutanu Kr. Patra
Ms. Supriya Dubey
.... For the SSC

Mr. Kamal Mishra
Mr. Pratap Sanpui
.... For the Respondent Nos. 5-6

Mr. Supriya Chattopadhyay
Mr. Suman Dey
.... For the State

The petitioner's application for transfer has been returned by the school for being in conflict with the 10 per cent rule.

Counsel for the petitioner submits that the application of the 10 per cent rule has been incorrect in so far as the petitioner is concerned since five new teachers have joined.

In that view of the matter the school shall look into the matter afresh and take an appropriate decision as to whether the petitioner is in fact hit by the 10 per cent rule. If upon reconsideration the petitioner is found outside the 10 per cent rule, suitable steps should be taken by the Head of the Institution in terms of 2015 Rules within the time frame stipulated therein. The school shall consider the current place of residence of

the petitioner, which is said to be Narendrapur in deciding the fate of the application.

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.)