

22.06.2022
Court No.13
Item No.118
AP

WPA 6314 of 2022

**Suvra Joarder
Vs.
The State of West Bengal and Ors.**

Mr. Subhrangsu Panda
Ms. Ina Bhattacharyya
Ms. Mithu Singha Mahapatra
... For the Petitioner.

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

Mr. Sakti Pada Jana
Mr. Subhajyoti Das
... For the School.

Mr. Bhaskar Prosad Vaisya
Mr. Suman Dey
... For the State.

The petitioner is aggrieved by the fact that her application for transfer has been rejected by the head of the institution on the ground that litigation is pending.

The same constitutes interfering with the right to seek judicial remedies of the petitioner. The 2015 Rules do not conceive any such ground for withholding for transfer.

In that view of the matter, rejection of the petitioner's application by the head of the institution shall stand quashed and set aside.

The petitioner shall apply afresh. Upon receipt of such application, the head of the institution shall forward the same to the concerned District Inspector of

Schools. The District Inspector of Schools in consultation with the Commissioner of School Education shall deal with the petitioner's application strictly in terms of the 2015 Rules and the dispose of the same within a period of six weeks from date.

With the aforesaid directions, 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.)