

12.08.2022.
Court No.13
Item No. 24
ap

W.P.A. No. 8016 of 2022

**Anjali Saha
Versus
The State of West Bengal & Ors.**

Mr. Uday Shankar Chattopadhyay,
Mr. Kazi Sajjad Alam.

...For the petitioner.

Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee.

...For the State.

Mr. Sourav Mitra,
Mr. Suman Dey.

...For the WBCSSC.

The order dated 2nd August, 2022 is recalled by
consent of the parties.

It appears that the writ petitioner's application for transfer has been returned to her for being barred by the 10% Rule. It appears from the records and the report of the District Inspector of Schools (SE), North 24 Parganas that three persons including the petitioner had applied for transfer, one application i.e. of one Ms. Bhanjan Bala dated 21st August, 2021 stood rejected. She is stated to have applied afresh subsequently.

In such a situation, the Head of the Institution of Sulkuni Jogendra Maity Sadharan Vidyamandir, Hasnabad, Basirhat shall reconsider the petitioner's original application dated 31st August, 2021 and reassess the application of 10% Rule.

It appears from the records that there is only other application that of Shantanu Bhattacharyya dated 20th August, 2021 prior to the petitioner.

The impugned order of rejection dated 18th April, 2022 of the petitioner's application by the School shall stand set aside.

Let the consideration be effected by the Head of the Institution within a period of one week from the date of communication of a copy of this order.

If the petitioner's application is in compliance of 2015 Rules, the Head of the Institution shall forward the same immediately to the District Inspector of Schools (SE), North 24 Parganas. The District Inspector of Schools (SE), North 24 Parganas, the School Service Commission and the Board shall thereafter within a period of three weeks take a comprehensive decision on the petitioner's application in terms of 2015 Rules as amended from time to time.

With the aforesaid observations, the instant writ petition shall stand 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.)

