

11-08-2022
ct no. 13
Sl. 211
sp

WPA 8307 of 2022

Hajima Khatun

-Versus-

The State of West Bengal & Ors.

Mr. Ujjal Ray

.....for the petitioner

**Mr. Bhaskar Prasad Vaisya,
Mr. Suman Dey**

...for the State

Mr. Sourav Mitra,

....for the WBCSSC

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

The petitioner is aggrieved that her application for transfer was initially rejected by the School Service Commission on September 2, 2021, on the “Single Teacher” ground. Subsequently, on September 29, 2021, the petitioner’s application was also rejected on the ground of 10% Rule.

Counsel for the petitioner submits that 10% Rule has been incorrectly applied since there are 27 teachers in the school and the petitioner would be the 3rd applicant. Two other teachers have already been transferred.

The “Single Teacher” Rule cannot be applied any more by the school.

In view of above, the petitioner shall apply afresh through the Utshasree portal of the State.

Upon receipt of the petitioner’s application, the Head of the Institution shall assess the same of the 10% Rule as on the date of the request for transfer and dealt with the same strictly in terms of the 2015 Rules.

With the aforesaid observations, the writ petition shall stand disposed.

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.)