

02.08.2022
Court No.13
Item No.167
AP

WPA 8318 of 2022
Gourab Sen
Vs.
The State of West Bengal and Ors.

Mr. Ujjal Ray

... For the petitioner.

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey

..For the WBCSSC.

The petitioner's application for transfer was held up since he was the only teacher in the subject. Continued efforts have been made by the concerned District Inspector of Schools to look for an alternative teacher in place of the petitioner.

Mr. Ujjal Ray, learned counsel for the petitioner submits that the petitioner is an Assistant Teacher in Statistics. For the past 12 years in the school, there are no students in the Statistics stream in the school. The school has, however, indicated that there is need for a teacher in Pure Science.

In that view of the matter, the concerned District Inspector of Schools shall explore the possibility of posting a Pure Science teacher in the instant case in place and stead of the petitioner since there are no students in Statistics according to the petitioner himself.

The aforesaid arrangement should not be understood as a general policy or a precedent since the school cannot shut out the availability of Statistics as a subject for any willing student in the future.

Upon identification of a suitable Pure Science teacher -either permanent or temporary- the petitioner may be posted to a school of his choice, where there are sufficient number of students opting for statistics.

Let the aforesaid exercise be completed by the concerned District Inspector of Schools within a period of three weeks from date.

The School Service Commission shall take suitable steps on the recommendation of the concerned District Inspector of Schools in accordance with the 2015 Rules.

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.)