

25.08.2022
Court No.13
Item No.219
pk

WPA 8931 of 2022

**Nimai Chand Patra
Vs.
The State of West Bengal and Ors.**

Mr. Ujjal Roy

... For the petitioner.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey.

..For the WBCSSC.

The petitioner applied for transfer from his present school to another. The application has been returned by the respondent authorities on the ground that he is the only teacher in the subject.

The single teacher bar is no longer a restriction after the amendment to the 2015 Rules. Hence the decision of the respondent authorities to return the said application to the petitioner is set aside and quashed.

The respondent authorities shall continue to process the petitioner's application in terms of the amended Rules of 2015. The petitioner shall apply afresh if necessary only to modify the original choice of schools, if vacancies opted for earlier have been filled up in the meantime.

The respondent authorities shall process the petitioner's application within the time framed stipulated under the Notification dated 21.12.2021.

Upon the transfer of the petitioner, the SSC in consultation with the concerned D. I. of Schools shall arrange to appoint a teacher in the vacancy created.

The petitioner is directed to serve a copy of this order upon the respondent authorities immediately.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will 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.)