

23.08.2022.
Court No.13
Item No. 391
ap

W.P.A. No. 10835 of 2022

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

Mr. Shuvro Prokash Lahiri,
Mr. Rajesh Naskar.

...For the petitioner.

Mr. Raja Saha,
Ms. Rupsha Chakraborty.

...For the State.

Mr. Sourav Mitra,
Mr. Suman Dey.

...For the WBCSSC.

Affidavit-of-service filed in Court today be kept
with the record.

The petitioner's application for transfer, that
was put up through the Utsashree Portal, has been
declined on the ground that it exceeds the 10% quota
as stipulated in the Transfer Rules of 2015.

Since the said 10% Rule is impliedly abandoned
by reason of the Notification dated 3rd January, 2022,
the rejection of the petitioner's application for transfer
shall stand set aside.

The petitioner shall apply afresh on any ground
other than medical ground. Upon receipt of such
application, the head of the institution shall forward
the same to the concerned District Inspector of
Schools. The concerned District Inspector of Schools

in consultation with the Commissioner of School Education shall deal with the petitioner's application strictly in terms of the Notification dated 3rd January, 2022.

Upon transfer of the petitioner, if allowed, in terms of the Rules, the respondents shall post a suitable number of teacher/teachers in the School.

With the aforesaid directions, the instant 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.)