

02-08-2022
ct no. 13
Sl. 144
pk

WPA 14807 of 2021

Tamalika Gupta

-Versus-

State of West Bengal & Ors.

Mr. Kushal Chatterjee
Mr. Iftekar Munshi,

.....for the petitioner

Mr. Raja Saha,
Mr. Shamim ul Bari

...for the State

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey

...for the WBCSSC

Mr. Sankar Halder,
Mr. S. Burman

... for the respondent nos. 5 and 6.

The petitioner's application for transfer was initially returned by the school on account of being hit by the 10 per cent Rule.

Counsel for the petitioner submits that the application of the ten per cent Rule in her case has been incorrect since he is the fourth teacher as per the strength of the school.

Counsel for the school submits that his client now has no objection to the petitioner's transfer.

In those circumstances, the head of the Institution shall forward the petitioner's application for transfer to the D. I. of Schools (SE).

Upon receipt of the petitioner's application, the D. I. of Schools (SE) in consultation with the School Service Commission and the Commissioner of School Education shall take all appropriate steps as prescribed under the 2015 Rules, amended from time to time within a period of four weeks from the date of communication of a copy of this order.

Upon the petitioner's transfer, the School Service Commission shall endeavour to post a suitable teacher in the school immediately.

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.)