

25.08.2022
Court No.13
Item No.36
AP

WPA 16665 of 2022

**Mamani Maity
Vs.
The State of West Bengal and Ors.**

Ms. Rama Halder (Santra)
... For the Petitioner.

Mr. Supriyo Chattopadhyay
Mr. Sabyasachi Mondal
... For the State.

Mr. Sourav Mitra
Mr. Suman Dey
... For the SSC.

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

The petitioner's application for transfer on
medical grounds has been rejected by the District
Inspector of Schools. The application has been
returned by the respondent authorities on the
ground that he is a single 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 respondents 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.)