

Court No. 17

WPA 18945 of 2021

22.02.2022

(AD 68)

(S. Banerjee)

Dipak Kumar Mandal

Vs.

The State of West Bengal & Ors.

(Via Video Conference)

Mr. Saktipada Jana

Mr. Subhajyoti Dan

... for the petitioner

Ms. Chama Mukherjee

Ms. Manika Pandit

... for the State

Dr. Sutanu Kumar Patra

Ms. Supriya Dubey

... for the SSC

Let the affidavit of service filed in court today be kept with the record.

The petitioner applied for transfer from his present school to another through Utsashree portal on 3rd August, 2021. His application for transfer has come back from the end of the District Inspector of Schools, as has been submitted by the learned advocate for the petitioner from Annexure P-6 at page 34 of the writ application.

As the petitioner applied before the amendment of 2021 made to the General Transfer Rules, 2015, his case is to be considered under the General Transfer Rules, 2015 and not under the amended rule. The amended rule does not have any retrospective effect.

Therefore, I direct the District Inspector of Schools to consider the matter afresh and I set aside the decision taken by the District Inspector of Schools stating that he is the only teacher in the subject of Work Education in the school, as has been mentioned in Annexure P-6. The transfer application is to be considered afresh by three weeks from the date of communication of this order.

With the observation and direction as above, this writ application is disposed of.

(Abhijit Gangopadhyay, J.)