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14.03
2022
Ct. No.17

WPA 19778 of 2021

Aniruddha Jha
Vs.
The State of W. B. & Ors.

Mr. Biswarup Biswas
Mr. Kamal Mishra
.....For the Petitioner
Mr. Swapan Kr. Dutta
Mr. Pradyot Kr. Das
.....For the State
Dr. S. K. Patra
Ms. Supriya Dubey
.....For the WBCSSC

Affidavit of service filed in court today be kept on record.

The petitioner applied for transfer from his present school to another school. Such application was filed on 08.08.2021 but his application has come back from the end of the School Service Commission on the ground of single teacher in the concerned subject.

When the petitioner applied for transfer, the Rule that was to be followed was General Transfer Rules, 2015. The amendment of 2015 General Transfer Rules have been made in September, 2021 and as the application was filed before that i.e. 08.08.2021, the amendment does not have any effect on the application of the petitioner as the amendment does not have any retrospective effect. Therefore, the

observation of the School Service Commission is set aside and quashed.

The Commission is directed to consider the matter afresh within a period of two weeks from the date of communication of this order. If the petitioner is eligible to get transfer, the School Service Commission is directed to take appropriate steps in this matter within the said period or two weeks.

The matter is disposed of.

(Abhijit Gangopadhyay, J.)