

14. 03. 2022
BP
Sl.125
Court No. 17

WPA 20491 of 2021

(Via Video Conference)

Sakti Prasad Das

Vs.

The State of West Bengal & Ors.

Mr. Saibal Acharyya

Mr. Dilip Kumar Shyamal

..for the petitioner.

Ms. Chama Mookerji

Mr. Gourav Das

..for the State.

Dr. S.K. Patra

Ms. Supriya Dubey

..for SSC.

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

From page 33 of the writ application, it appears that the petitioner made an application for transfer from present school to another on 11.08.2021. His application has come back from the end of the Headmaster of the institution on the ground of single teacher. This ground of single teacher cannot be made applicable to the petitioner as the amendment to the General Transfer Rules, 2015 was made in the month of September and as it does not have any retrospective effect, the application filed by the petitioner on 11th August, 2021 is not covered by the said amendment or any other subsequent notification. Hence, the decision

of the school is quashed and set aside.

The concerned school is directed to consider the transfer application of the petitioner in accordance with the General Transfer Rules, 2015 and to take immediate steps within ten days from the date of communication of this order.

The petitioner is directed to serve a copy of this order upon the school and concerned District Inspector of schools.

With this direction, this writ application is disposed of.

(Abhijit Gangopadhyay, J.)

