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26.09.
2022
Ct. No.17

WPA 22424 of 2022

Supriti Mandal Majumdar
Vs.
The State of W. B. & Ors.

Mr. Sudipta Dasgupta
Ms. Dipa Acharyya
.....**For the Petitioner**
Mr. B. P. Vaisya
Mr. Niloy Baran Mandal
.....**For the Council**
Mr. Gourav Das
Ms. Debopriyo Chattopadhyay
.....**For the State**

By an order dated 14.09.2022 passed by the Chairman, Kolkata Primary School Council the petitioner has been transferred from one Primary School of Tollygunge Circle to another Primary School of Alipore Circle. In the said transfer order there is no reason.

This is an administrative order. Nobody knows the reason of transfer. If I accept such order, then I will have to accept also that the Chairman of the said Primary School Council has the statutory provision under which he can pass order without any reason. The reason is the soul of any order - be it judicial or executive. Reason is wholly absent in this order which is Annexure 'P-3' of the writ application. This order is quashed and set aside. If any order is to be passed for transfer, such transfer order should

contain the appropriate reason therefor.

The petitioner will act as the teacher of Rajapur Bastutala F. P. School, Circle – Tollygunge, Kolkata as she is acting there now. She will not be transferred to the new school as the order of transfer, contained in Office Memo bearing no. 1494/Trf/PC dt. 14.09.2022, has been set aside and quashed.

The writ application is allowed. However, no order as to costs.

The letter showing service upon the State and also upon the Kolkata Primary School Council is kept on record.

(Abhijit Gangopadhyay, J.)