

21.07.2022
Court No.13
Item No.46
Saswata

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH, JALPAIGURI**

WPA 1204 of 2022

Babli Lohar

Vs.

State Of West Bengal & Ors

(Through Video Conference)

Mr. Debjit Kundu

... for the petitioner

Dr. Sutanu Kumar Patra

Ms. Supriya Dubey

... for the WBCSSC

The petitioner applied for transfer from his present school to the other on 20th August 2021. The application has come back from the end of the School Service Commission on the ground of single teacher. As the petitioner applied before the amendment of General Transfer Rules, 2015 (amendment came in September 2021) the question of single teacher and creating a bar thereby does not appear for the petitioner. the amendment has no retrospective effect. Hence, the decision of the District Inspector of Schools for sending back the said application to the petitioner is set aside and quashed.

The District Inspector of Schools is directed to consider the matter afresh and to transfer the

petitioner if she is otherwise eligible within a period of two weeks from date.

The petitioner is granted liberty to file the application afresh, if required, only for the purpose of opting some new schools through Utsoshree portal as the posts in the school for which the petitioner opted through Utsoshree portal earlier might have been filled up in the meantime. So, the petitioner may apply with new schools including the schools for which she applied earlier if the posts in the school opted previously are still vacant.

The petitioner is directed to serve a copy of this order upon the School Service Commission immediately.

With the above direction, the writ petition being WPA 992 of 2022 is accordingly, disposed of.

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.)