

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

**08.09.2022
Crt. No.3.
Sh/2**

WPA 1504 of 2022

Sohel Rana

-Vs.-

The State of West Bengal and ors.

Mr. Ujjal Roy
Mr. Bikash Singh.
.....for the petitioner.

Mr. Hirak Barman,
Mr. Momenur Rahaman.
..... for the State.

Affidavit of Service filed in Court today
be kept with the record.

Learned Counsel for the respective
parties are present.

The petitioner has applied for transfer from
the present school to other school on 2nd
September, 2021. The application has come
back from the end of the West Bengal School
Service Commission on the ground of single
teacher. As the petitioner applied before the
amendment of General Transfer Rules,

2015(Amendment made 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 direction of the West Bengal School Service Commission for sending back the said application to the petitioner is set aside and quashed.

The West Bengal School Service Commission is directed to consider the matter afresh and to transfer of 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 school for which she applied earlier, if the

posts in the school opted previously are still vacant.

WPA No. 1504 of 2022 is thus **disposed of.**

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent Photostat certified copy of this order, if applied for, be give to the parties upon compliance of all necessary formalities.

(Krishna Rao, J.)