

22.07.2022.
Item no. 1.
Court No. 13
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CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. No. 1869 of 2022

Nimai Ray
Versus
The State of West Bengal & Ors.

Mr. Anjan Bhattacharya.

..For the petitioner.

Mr. Swapan Banerjee,
Mr. Saugata Mitra.

...For the State.

The petitioner is an Assistant Teacher of Sri Margaret (SN) English School, Siliguri, Darjeeling. He has applied for general transfer that has not been accepted by the Utsashree Portal.

The matter relating to any other teacher of the same institution at Belur Math, came up for consideration before a Co-ordinate bench of this Court in WPA 2233 of 2022 (Arindam Bhaskar vs. The State of W.B. & Ors.). By order dated February 18, 2022, the petitioner was asked to apply vide his representation. The Principal Secretary, School Education Department, Government of West Bengal, permitted the petitioner to apply afresh for general transfer on special ground under the Transfer Rule, 2015, which was allowed by a recommendation dated

June 1, 2022, issued by the West Bengal School Service Commission.

In that view of the matter, the writ petitioner shall be entitled to apply for general transfer on special ground under the Rules of 2015. Upon receipt of the application, the Head of the Institution, D.I. of Schools and the CSSC, shall act strictly in terms of the said Rules, 2015, and consider the petitioner's application for general transfer in terms thereof.

The recommendation of the Nibedita Sinha Sarkar is kept with the record.

With the aforesaid observations, the writ petition shall stand disposed.

There shall be 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.)