

28.06.2023
BP
Court No. 17
Sl. 4

W.P.A. 4028 of 2023

Madhumita Moi
Vs.
The State of West Bengal & Ors.

Mr. Samiran Mondal
Mr. Abhinaba Dan
Mr. Nitish Samanta
... for the petitioner

Mr. B.P. Vaisya
Mr. Suman Dey
..for Council

Ms. Sayantanee Bhattacharya
..for the State

This is a transfer matter. I directed the concerned D.I. to file a report in the form of an affidavit. The report has been filed by the Assistant Inspector of School (Primary Education) affirmed on 26th June, 2023 which is kept on record.

From the report it appears that the school has one hundred and fifteen students and from one notification dated 13th September, 2021 which relates to transfer of teacher of primary school (Annexure R-3) which is a annexure to the Right of Children to Free and Compulsory Education Act, 2009 for first class to fifth class four teachers are required if student strength is one hundred and twenty. Here the student strength is one hundred and fifteen and teacher strength is four. Therefore, at this stage no transfer can be made. However, if

in future the number of teacher is increased, the petitioner shall have the liberty to pray for transfer.

With the above observation, this writ application is disposed of.

(Abhijit Gangopadhyay, J.)