

16.06.2023.
Court No.13
Item No. 25
ap

CPAN 399 of 2023
In
W.P.A. No. 9393 of 2022

Debasmita Basu
Versus
Shri Kaushik Roy,
District Inspector of Schools (SE), Malda

Mr. Ujjal Ray,
Md. Abdur Rahim.

...For the petitioner.

Mr. Sourav Mitra,
Mr. Suman Dey.

...For the Central School Service Commission.

Mr. Bhaskar Prasad Vaisya, AGP,
Mr. Bibekananda Tripathy.

...For the alleged contemnor.

1. Let a copy of the contempt application be made available to Mr. Vaisya representing the alleged contemnor.
2. The District Inspector of Schools (SE), Malda has filed a report, which is taken on record.
3. The said report indicates that he has addressed a communication to four several nearby Schools to look for a replacement teacher, in the event the petitioner is transferred. He has received response from three such Schools stating that there was nobody willing.
4. This Court directs the District Inspector of Schools (SE), Malda to make continuous efforts in the matter.
5. In addition to the above, since after the recent rationalisation principles implemented by the State

where more than 8000 Schools have been found with lesser number of students and more teachers, the District Inspector of Schools (SE), Malda may consider posting of any teacher from the aforesaid list of that Schools, subject to the latter's consent, in place of the petitioner upon the petitioner being transferred.

6. This consideration is required to be effected since admittedly the petitioner was entitled to transfer in terms of the then applicable Rules.

7. With the aforesaid directions, the instant contempt application shall stand disposed of.

8. There will be no order as to costs.

9. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)