

08.08.2023

(S/L-18)

Ct.-18

(P. Jana)

W.P.A. 8530 of 2023

Achintya Manna

-Vs-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
.... for the Petitioner.

Ms. Rupsha Chakraborty, ... for the State.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey,for the SSC.

Ms. Shreyeta Mitra,
... for the respondent no. 7.

Affidavit of service filed on behalf of the petitioner
be kept with the record.

The report bearing Memo No. 28/2023/Law dated
Jhargram, the May 4, 2023 of the District Inspector of
Schools (SE), Jhargram, the respondent no. 4 herein, is
filed on behalf of the State, let it be also kept with the
record.

The petitioner is an Assistant Teacher in
Philosophy (H/PG) of Chandabila S.C. High School
(H.S.), Jhargram. He is praying Mutual Transfer with
the respondent no. 7.

Dr. Patra, learned counsel for the Commission,
submits that the writ petition is misconceived
inasmuch as the petitioner and the respondent no. 7
have to apply for such mutual transfer following the
procedure prescribed under the West Bengal School
Service Commission (Mutual Transfer) Rules 2012 but
neither the petitioner nor the respondent no. 7 have

resorted to the prescribed procedure for their mutual transfer.

Mr. Ghosh Chowdhry learned advocate for the petitioner does not dispute such position.

WPA 8530 of 2023 is **dismissed** as misconceived without any order as to costs.

This order however will not prevent the petitioner to apply for such Mutual Transfer with the respondent no. 7 in terms of the said of Rules of 2012.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)