

12.05.2023
Court No.13
Item No.55
pk

CPAN 541 of 2023
In
WPA 10835 of 2022

Baisakhi Saha
Vs.
Sri Soumitra Mohan & Anr.

Mr. S.P. Lahiri,
Ms. Tithi Mazumder.

... For the Petitioner

Mr. Supriya Chattopadhyay,
Ms. Rupsa Chakraborty.

...For the alleged contemnor no.1.

Mr. Sourav Mitra.

....For the alleged contemnor no.2.

1. Counsel for the State has produced a communication dated 25th April, 2023 passed by the District Inspector of Schools (SE), Purba Bardhaman to the Head Teacher of the concerned School asking for local arrangement for accommodating another teacher in place of the petitioner upon transfer.
2. No teacher is willing to work in the School in question where the petitioner is posted in her subject.
3. The State shall continue to make necessary arrangements.
4. Mr. Lahiri, Counsel for the petitioner further submits that under the new transfer policy dated 10th February, 2023 the State was bound to use its administrative power of transfer to

accommodate somebody else in her place. He further submits that the transfer policy dated 10th February, 2023 cannot be invoked by the petitioner.

5. This Court is of the view that the said issue is a separate cause of action and may be agitated appropriately in accordance with law.
6. With the aforesaid directions, the instant contempt application shall stand disposed of.
7. Rule, if any, shall stand discharged.
8. There will be no order as to costs.

(Rajasekhar Mantha, J.)