

Court No.
24.4.2023
(Item No. 156)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 17708 of 2022

Piyali Bhattacharyya
VS
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
.... For the petitioner
Mr. Jahar Dutta
Mr. Bipin Ghosh
... For the State
Mr. Sourav Mitra
Mr. Suman Dey
... for CSSC

Affidavit of service filed in Court today, is
taken on record.

The relevant School authority is not
represented.

The petitioner seeks transfer. At present the
petitioner working at **Institution of Purba
Khejurberia**. Mr. Sudip Ghosh Chowdhury, learned
counsel appeared for the petitioner had confirmed this
Court that this is a Higher Secondary School. From
Annexure P-7 at **page 18** to the writ petition it
appeared that on April 7, 2021 the petitioner's case
for transfer was returned and rejected on the ground
of **Single Teacher in the relevant subject -
Philosophy at the relevant School**. The petitioner
again applied on January 24, 2022. The petitioner
contended that, this application is now lying with the

head of the Institution. The petitioner prayed for consideration of the said application.

Considering the submissions made on behalf of the parties and considering the materials on records it appeared that, though not a bar but within a period of about four months the petitioner once again applied for transfer.

The respondent No. 5 shall consider the application of the petitioner strictly in accordance with law in view of the **Teachers-Students ratio** and in view of the **2015 Rules** read with the recent **notification of transfer dated February 10, 2023** and then shall pass a reasoned order.

This order shall not create any right or equity in favour of the petitioner in any manner whatsoever.

Since affidavits are not called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

Resultantly, this writ petition being **WPA 17708 of 2022** stands disposed of.

There shall, however, be no order as to costs.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Aniruddha Roy, J.)