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19.04.
2023
Ct. No.17

WPA 22914 of 2022

Swapan Kumar Dalui
Vs.
The State of W. B. & Ors.

Mr. Gautam Banerjee
Ms. Chumki Das Bairagya
..... For the Petitioner

Mr. Biswabrata Basu Mallick
Mr. Biman Halder
.....For the DPSC, Hooghly

Mr. Saikat Banerjee
Mr. Ratul Biswas
Mr. Kaushik Chowdhury
.....For the Board

Mr. Somenath Ghosh
....For the State

The petitioner is presently working at a school, namely, Shimchok Primary School where the present pupil-teacher ratio (as on 31.01.2023) is 40:1. If the petitioner is transferred, then pupil-teacher ratio will be disturbed to an extent, which will go below the statutory ratio as per RTE Act and, therefore, the petitioner cannot be transferred at this stage. Subsequently if the ratio is changed in favour of the students, then the case of the petitioner can be considered for transfer. However, for that the petitioner has to file separate application for transfer.

A copy of the report filed today in court by the D. I. of Schools (PE), Hooghly is kept on record

and the said report should be handed over to the petitioner in course of the day.

The writ application is disposed of.

(Abhijit Gangopadhyay, J.)