

Court No. 17

WPA 27167 of 2022

26.07.2023

(AD 82)

(S. Banerjee)

Dwijadas Porya

Vs.

The State of West Bengal & Ors.

Mr. Firdous Samim

Ms. Gopa Biswas

Ms. Payel Shome

Ms. Sampriti Saha

... for the petitioner

Mr. Ranjan Saha

... for the DPSC, Jhargram

Mr. Saikat Banerjee

Mr. Ratul Biswas

Mr. Kaushik Chowdhury

... for the WBBPE

It appears from the report of the District Inspector of Schools (Primary Education), Jhargram that the pupil teacher ratio of the school where the petitioner is working is 70:1 including the petitioner. Therefore, if the petitioner is transferred now, one teacher will not be able to run the school. At this stage no order is being passed for transfer of the petitioner.

However, learned advocate for the petitioner has drawn my attention to pages 41 (Annexure P-6) stating that there is one note as to surplusage of the teacher in the said school.

Learned advocate for the DPSC has submitted that these documents are in respect of the last academic year which is prima facie correct as appears

from the document itself at page 41 that the application was filed in the month of April, 2022.

However, the petitioner shall have the liberty to file fresh application for transfer when the pupil-teacher ratio will be appropriate in accordance with the Right of Children to Free and Compulsory Education (RTE) Act, 2009.

With this observation and direction this writ application is disposed of.

The report given by the District Inspector of Schools (PE), Jhargram dated 14.6.2023 is kept on record.

(Abhijit Gangopadhyay, J.)