

59 20.09.2023
Ct. no. 2
SK.

AZAD MONDAL
VS
THE STATE OF WEST BENGAL AND ORS.

This writ petition is filed seeking consideration of a representation for general transfer. On 5 October, 2021, the prayer of the writ petitioner for transfer was rejected in view of the fact that there is a single teacher subject in Bengali.

It is contended on behalf of the petitioner that the concerned school does not have only one teacher in Bengali but has two permanent Bengali subject teacher. In such circumstances, the petitioner seeks consideration of his representation for transfer. The petitioner also relies on an unreported decision dated 25 July, 2023 in (*Pijush Kanti Das vs. The State of West Bengal*) MAT 754 of

2022 (CAN 1 of 2022) in support of their contention.

The School Service Commission is represented and submits that the case for transfer of the petitioner has not been rejected but only deferred and is pending in the portal. Thus, the same may be considered by the respondent no. 3 being the Chairman of the West Bengal Central School Service Commission.

In such circumstances, the representation of the petitioner for transfer be considered in accordance with law within a period of twelve weeks from the date of communication of this order.

It is made clear that this Court has not gone into the merits of the case for transfer and the respondent no. 3 is at liberty to decide the same strictly in accordance with law.

To the aforesaid extent, WPA/2137/2023 stands allowed.

Affidavit of Service be kept with the records.

(Ravi Krishan Kapur, J.)