

Ml- 06.09.2024
149 Ct.18
rkd

W.P.A. 6605 of 2023

Goutam Bhumia

-vs-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Ms. Shreyeta Mitra,
Mr. Afrin Nahar Mondal

....for the petitioner.

Mr. Tarun Kumar Ghosh,
Mr. Somraj Dhar

....for the State.

Ms. Koyeli Bhattacharyya,
Mr. Bibek Dutta

....for the WBSSE.

Mr. Sunit Kumar Roy

....for the WBCSSC.

Affidavit-of-service filed on behalf of the
petitioner is taken on record.

Matter relates to general transfer of the
petitioner on the ground of distance in between the
present school of the petitioner and his place of
residence.

Petitioner made an application seeking
transfer on Utsashree portal but the transfer
application of the petitioner was not forwarded by
the school authority where petitioner is presently
working. Petitioner prays for direction upon the
school authority to forward the transfer application
of the petitioner to the concerned District Inspector

of Schools (SE) for taking necessary steps.

However, it has been pointed out by the learned advocate representing the respondents on drawing attention to a document which is at page 18 of the writ petition that school authority could not forward the transfer application of the petitioner since there are forty eight students in the school and at present three teachers are working. The school is a junior high having four units from Class-V to Class-VIII.

Having considered the submissions made on behalf of the respective parties, it appears that the school being junior high is having four classes i.e. Class-V to Class-VIII whereas three teachers are working in the school including the petitioner. If petitioner is permitted to take transfer teaching strength would be reduced to two against four units which goes to show that it would be impossible for the two teachers to run the school.

In view of aforesaid scenario, the application of the petitioner at this stage ought not to be allowed.

Accordingly, the writ petition stands dismissed.

However, this order shall not preclude the petitioner to apply for transfer in future, if teaching

strength of the school is augmented.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)