

MI- 11.06.2024
66 Ct.18
rkd

W.P.A. 12428 of 2022
Sandip Chakraborty

-vs-

The State of West Bengal & Ors.

Mr. Rudranil De,
Mr. Subhronil Ghosh,
Ms. Aiswarya Mukherjee

....for the petitioner.

Mr. Sourav Mitra

....for the WBCSSC.

Supplementary affidavit filed by the
petitioner is taken on record.

Petitioner is an Assistant Teacher in a Government aided High School seeking transfer on special ground as contemplated under Rule 4 of the West Bengal School Service Commission (General Transfer, Transfer On Special Grounds and Reallocation) Rules, 2015 (hereinafter referred as “said Rules of 2015”).

During the course of hearing the learned advocates representing the petitioner and the West Bengal Central School Service Commission have jointly drawn attention of this Court to a document which is at page 18 of the writ petition wherefrom it appears that the application of the petitioner seeking transfer on special ground was rejected since it was found that petitioner was a single teacher in the subject in the concerned school and

the roll strength of the said school at the material point of time does not permit transfer of the petitioner and in the event petitioner is transferred that would jeopardize the academic interest of the students.

On query being posed to the learned advocate representing the petitioner with regard to the reasons assigned by the concerned authority while considering the transfer of the petitioner this Court does not get any satisfactory answer.

In view of the reasons assigned by the authority while rejecting the prayer for transfer of the petitioner this Court is not inclined to interfere with the acts and actions of the respondents in rejecting the prayer for transfer.

Accordingly the writ petition stands dismissed.

However, this order shall not preclude the petitioner to make application afresh in accordance with law, if situation so permits.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)