

08.07.2024.
Court No.13
Item No. 12
ap

W.P.A. No. 12994 of 2023

**Binod Prasad Vishwakarma
Versus
The State of West Bengal & Ors.**

Mr. Tapas Kumar Ghosh,
Mr. Tanmoy Chowdhury.

...For the petitioner.

Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee.

..For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner is aggrieved by an order dated 20th April, 2023 passed by the Chairman, District Primary School Council, Paschim Bardhaman. By the impugned order, the petitioner's request for permanent posting to Kendwa Biss Free Primary School under Kulti Circle, Paschim Bardhaman has been declined. The petitioner was repatriated to his parent School, namely, Locoline Harijan Free Primary School under the same Circle after temporary posting for six years.
3. The Chairman, District Primary School Council, Paschim Bardhaman has indicated that transfer within the same Circle generally is not permitted.
4. This Court also otherwise does not see any infirmity in the impugned order since the petitioner's temporary posting was revoked and he has been sent back to his parent School.

5. The petitioner, however, in paragraph 12 of the writ petitioner refers to certain cases where persons from the same parent School have been posted to another School within the same Circle and have been made permanent thereat.

6. The Chairman, District Primary School Council, Paschim Bardhaman shall bear the aforesaid deviation in mind. A uniform practice shall be maintained in respect of transfers in all Circles within the district. If any erroneous posting has been made contrary to the principles referred to in the principal order, the Chairman, District Primary School Council, Paschim Bardhaman shall take corrective measures subject to the applicable Rules.

7. The report of the Chairman, District Primary School Council, Paschim Bardhaman dated 13th October, 2023 filed in Court today be kept with the record.

8. With the aforesaid directions, the instant writ petition shall stand disposed of.

9. There will be no order as to costs.

10. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

