

05.08.2024
Court No. 18
Item No. 23(ML)
(Suvendu)

WPA 13554 of 2022

Anna Mondal
-Versus-

The State of West Bengal & Ors.

Mr. Upendra Roy
Mr. Uttam Banerjee
.....for the petitioner

Mr. Bhaskar Prasad Vaisya, Ld. AGM
Mr. Sagnik CHatterjee
.....for the State

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
.....for the WBCSSC

Mr. Apurba Krishna Das
.....for the respondent no.6

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

Petitioner made application on 1st September, 2021 as it appears from a document which is at page 27 of the writ petition but the same was not forwarded by the concerned school authority to the District Inspector of Schools (SE), Bankura being the respondent no. 5 for taking necessary steps. Petitioner prays for direction upon the school authority and respondent no. 5 to take immediate steps for

transferring the petitioner based on application dated 1st September, 2021.

State respondents, West Bengal Central School Service Commission and the school authority are represented by the learned advocates who have jointly submitted that petitioner was found to be a single teacher in the subject in the school which prevented school authority to take steps on her transfer application.

Having considered the submissions made on behalf of the parties and taking note of the notification dated 3rd January, 2022 issued by the Additional Secretary to the Government of West Bengal, School Education Department, the writ petition stands disposed of directing the respondent no. 5 to make endeavor to find out an willing teacher of neighboring school who can man the post of the petitioner temporarily till regular incumbent joins in the resultant vacancy which is to be created on transfer of the petitioner to facilitate petitioner's transfer provided it is found as "fit case" as contemplated under the said notification dated 3rd January, 2022. If local arrangement is made upon deputing a teacher in the school in place of the petitioner, petitioner shall be transferred on

compliance of formalities in accordance with law.

There shall be, however, no order as to costs.

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

(Saugata Bhattacharyya, J.)