

05 30.07.2024
rkd Ct.18

W.P.A. 16524 of 2024

Partha Mondal

-vs-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Ms. Shreyita Mitra

....for the petitioner.

Mr. Gourav Das,
Ms. Madhumati Das

....for the school authority.

Mr. Swapan Banerjee,
Ms. Sougata Mitra

....for the State.

Ms. Koyeli Bhattacharyya,
Mr. Bibek Dutta

....for the WBBSE.

Mr. Sunit Kumar Roy

....for the WBCSSC.

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

School authority of Piplon Sri Arabinda
Vidyamandir (HS), District- Purba Burdwan being
respondent nos.5 & 6 are represented today.

The learned advocate representing the
school authority submits that initially though
application of the petitioner for transfer on the
ground of distance dated 21st January, 2022 was
rejected and “No Objection” was not accorded but
subsequently on finding that petitioner is not the
single teacher in the subject in the school in view of
presence of other teachers in the same subject in

higher secondary section decision was taken by the said school authority to issue “No Objection” in favour of the petitioner.

The copy of the “No Objection” dated 24th June, 2024 is placed before this Court and the same is taken on record.

Since the aforesaid school authority has issued “No Objection” in favour of the petitioner in connection with petitioner’s general transfer application dated 21st January, 2022 the previous decision of the school authority to reject the said application stands set aside and the transfer application of the petitioner dated 21st January, 2022 stands revived.

The aforesaid school authority being respondent nos.5 & 6, is directed to forward the transfer application of the petitioner dated 21st January, 2022 along with “No Objection” to the office of the concerned District Inspector of Schools (S.E.), Purba Burdwan being respondent no.4 by seven days from date.

On receipt of transfer application of the petitioner the respondent no.4 is directed to take steps in accordance with law and if it is found that the transfer application is in order and the same can be forwarded to the higher authority the

respondent no.4 shall forward the transfer application of the petitioner to the West Bengal Central School Service Commission for taking final decision.

With the aforesaid observations and directions the writ petition stands disposed of.

Since Utsashree portal has been suspended the school authority, if necessary, is required to forward the offline transfer application of the petitioner to the respondent no.4 and the respondent no.4 in its turn, if necessary shall forward the said transfer application to the West Bengal Central School Service Commission for taking final decision.

However, 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.)