

W.P.A. 16257 of 2022

**Abhipsa Chattopadhyay
Vs.
The State of West Bengal & Ors.**

Mr. Tulsi Das Roy
Mr. Tirthankar Roy
...for the petitioner

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

Ms. Piyali Sengupta
...for the State

Affidavit of service filed in terms of the previous order is taken on record.

Writ petition is heard in presence of the learned advocates representing the petitioner, West Bengal Central School Service Commission and the State-respondents. In spite of service of notice upon the school authority where petitioner is serving the said authority being respondent no. 7 is not represented today.

Petitioner made an application dated 6th April, 2022 seeking transfer on the ground of distance in between her present school and the place of residence. It has been submitted by the learned advocate for the petitioner that while processing the transfer application the District Inspector of Schools has sent back the transfer application of the petitioner to the school authority since petitioner was found to be a single

teacher in the subject in the said school. Petitioner prays for transfer on compliance of necessary formalities.

West Bengal Central School Service Commission and the State respondents are represented by learned advocates who have placed reliance on Government notification dated 3rd January, 2022 issued by the Additional Secretary to the Government of West Bengal, School Education Department and it has been submitted that only option which is left open in the present case is to take steps in terms of the said notification dated 3rd January, 2022 at the instance of the concerned District Inspector of Schools.

Having considered the submissions made on behalf of the parties Court directs the District Inspector of Schools (SE), North 24 Parganas being respondent no. 6 to make an endeavour to find out an willing teacher from a neighboring school who can take the classes in the subject of the petitioner on a temporary basis till the regular incumbent joins the resultant vacancy which is to be created on transfer of the petitioner. It needs to be recorded herein that respondent no. 6 shall take steps if it is found that it is a “fit case” to take steps in terms of the said notification dated 3rd January, 2022.

With the aforesaid observations the writ petition stands disposed of.

However, 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.)