

08.07.2024
Court No. 13
Item No. 20
ap

WPA 17080 of 2024
Probhati Mondal & Anr.
Versus
The State of West Bengal & Ors.

Mr. Santanu Maji,
Mr. Subhayu Das.

...For the petitioners.

Mr. Ratul Biswas
Mr. Kaushik Chowdhury.

...For the WBBPE.

Mr. Sarwar Jahan.

...For the DPSC, Murshidabad.

Mr. Avishek Prasad

...For the DPSC, Malda.

1. Affidavit-of-service filed in Court today be taken on record.

2. The petitioner no.1, working with the Kharibona Primary School under Golapganj Circle at Malda, has applied for mutual transfer with one Abdul Mabud Mia, Assistant Teacher of 57 No. Birendra Nagar Primary School under Raghunathganj East Circle at Murshidabad to the Secretary of the West Bengal Board of Primary Education on 20th June, 2024.

3. In those circumstances, the Secretary, West Bengal Board of Primary Education may consider the petitioners' application offline for mutual transfer strictly in accordance with applicable Rules and particularly after ascertaining the willingness of the counterpart within a period of eight weeks from date of

receipt of a copy of this order along with a copy of the writ petition and pass appropriate orders thereof.

4. At the request of the Board, the Chairman, DPSC, Malda and DPSC, Murshidabad shall immediately communicate as to whether the petitioners are confirmed deemed or otherwise. The Board shall not insist on the petitioners to produce any documents in respect of the same. Normal restriction of transfer under Rule of 2002 does not apply to mutual transfer in case of the petitioners.

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

6. There will be no order as to costs.

7. Let a copy of the writ petition along with a copy of this order be served on the Board as well as concerned District Primary School Councils.

8. 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.)