

08.07.2024
Court No. 13
Item No. 21
ap

WPA 17214 of 2024

**Mallika Mahato & 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. Bhaskar Prasad Vaisya,
Mr. Nilay Baran Mondal.

...For the DPSC, Purulia.

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 Shimultala Primary School under Kharba-II Circle at Malda, has applied for mutual transfer with one Samad Seikh, Assistant Teacher of Dudhiapani Primary School under Neturia Circle at Purulia to the Secretary of the West Bengal Board of Primary Education on 1st July, 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, Purulia 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.)