

08.07.2024
Court No. 13
Item No. 22
ap

WPA 17216 of 2024

**Bilu Halder & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Santanu Maji,
Mr. Subhayu Das.

...For the petitioners.

Mr. Kaushik Chowdhury.

...For the WBBPE.

Mr. Bhaskar Prasad Vaisya,
Mr. Gourav Das.

...For the DPSC, South 24 Parganas.

Mr. Ratul Biswas

...For the DPSC, Howrah.

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

2. The petitioner no.1, working with the Purba Chaltakhali Primary School under Amta East Circle at Howrah, has applied for mutual transfer with one Harimohan Ghosh, Assistant Teacher of Simardhar Free Primary School under Mathurapur West Circle at South 24 Parganas to the Secretary of the West Bengal Board of Primary Education on 29th 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, Howrah and DPSC, South 24 Parganas 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.)