

W.P.A. 17539 of 2024

**Ratna Bal
Vs.
The State of West Bengal & Ors.**

Mr. Shuvro P. Lahiri
Mr. Rajesh Naskar
...for the petitioner

Mr. Malay Krishna Dey
Mr. Saikat Sen
...for the State

Dr. Sutanu Kumar Patra
Ms. Debalina Chakraborty
...for the WBCSSC

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

In the writ petition petitioner has prayed for retransfer from Mukul Bose Memorial Institution for Girls to Bhangamora Saradamoni Balika Vidyalaya. It has been submitted by the learned advocate for the petitioner that based on the transfer application made by the petitioner previously petitioner was transferred from Bhangamora Saradamoni Balika Vidyalaya to Mukul Bose Memorial Institution for Girls by the transfer order issued by the West Bengal Board of Secondary Education dated 17th May, 2022 based on the recommendation for transfer made by the concerned authority of the West Bengal Central School Service Commission dated 12th May, 2022. According to the petitioner, she joined the transferred post in Mukul Bose

Memorial Institution for Girls and is presently working there. On 19th April, 2023 the West Bengal Central School Service Commission made recommendation for transfer of the petitioner from Mukul Bose Memorial Institution for Girls to Bethuabati B. Hari High School in terms of the provisions laid down in the notification no. 216/SE/S/10M-09/2023 dated 10th February, 2023 for rationalization of teachers working in recognized non-Government aided/sponsored/ Upper Primary/Secondary/ Higher Secondary Schools. It is submitted on behalf of the petitioner that due to poor roll strength in Mukul Bose Memorial Institution for Girls perhaps petitioner was recommended for transfer by the West Bengal Central School Service Commission vide memo dated 19th April, 2023. However, the said recommendation dated 19th April, 2023 has not been given effect to. Petitioner seeks transfer from Mukul Bose Memorial Institution for Girls to Bhangamora Saradamoni Balika Vidyalaya due to poor roll strength in Mukul Bose Memorial Institution for Girls.

State-respondents and West Bengal Central School Service Commission are represented by learned advocates who have jointly opposed the prayer made in this writ petition on the count that petitioner has been transferred vide transfer order dated 17th May, 2022 to Mukul Bose Memorial Institution for Girls based on her transfer application.

Having considered the submissions made on behalf of the parties and perusing the materials available on record it appears that transfer of the petitioner from Bhangamora Saradamoni Balika Vidyalaya to Mukul Bose Memorial Institution for Girls vide transfer order dated 17th May, 2022 was in own volition of the petitioner. Petitioner made transfer application indicating Mukul Bose Memorial Institution for Girls being one of the preferred schools for transfer and based on such transfer application of the petitioner the Commission made recommendation vide memo dated 12th May, 2022 for transfer of the petitioner and ultimately Board issued transfer order dated 17th May, 2022. Pursuant to such transfer order dated 17th May, 2022 petitioner joined the post of assistant teacher in Mukul Bose Memorial Institution for Girls. Therefore, subsequently the prayer of the petitioner for again transferring her from Mukul Bose Memorial Institution for Girls to Bhangamora Saradamoni Balika Vidyalaya is not countenanced.

In addition thereto, such prayer has been made by the petitioner for transferring her to Bhangamora Saradamoni Balika Vidyalaya in order to avoid future transfer which may be made by the respondent authorities based on notification dated 10th February, 2023 for rationalization of teachers working in non-Government aided/sponsored schools. It appears that this retransfer application of the

petitioner has been made in desperation to obviate future transfer for rationalization of teachers.

In view of aforesaid scenario, the writ petition stands dismissed.

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.)