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12.08.2024
AGM

**In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA 17647 of 2024

**Uma Jana & Anr.
vs.
The State of West Bengal & Ors.**

**Mr. Anindya Bose.
Mr. Santanu Maji,
Mr. S. Das.
... For the Petitioners.**

**Mr. Kaushik Chowdhury.
...For the WBBPE.**

**Mr. Ratul Biswas.
... For DPSC, Howrah.**

**Mr. Ranjan Saha
...For DPSC, Jhargram**

**Mr. Pankaj Halder.
... for the State.**

Affidavit-of-service filed today in Court be kept with the records.

The application filed by the petitioners seeking mutual transfer is pending consideration at the end of the West Bengal Board of Primary Education.

Without going into the merits of the said application, the writ petition is disposed of by directing the Secretary, West Bengal Board of Primary Education to take a decision on the said application in accordance with law at the earliest but positively within a period of ninety days from the date of communication of this

order. A reasoned order shall be passed and communicated to the parties immediately thereafter.

Petitioner no. 1 was last transferred in the year 2020. Since this is a case of mutual transfer, the restriction of putting in five years service prior to consideration of the application for transfer may not be made applicable in this case.

The Board shall seek the necessary information as regards the status of the teachers and the vacancy position from the concerned District Primary School Council who shall immediately transfer the required data to the Board for compliance of the direction passed hereinabove.

Learned advocate for the petitioners shall forward a copy of the application for transfer to the aforesaid respondent at the time of communication of this order.

The writ petition stands **disposed of**.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)