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11.09.2024
Ct. No. 18
adeb

W.P.A. 17850 of 2022

**Arpita Pradhan
Vs.
The State of West Bengal & Ors.**

Mr. Ujjal Roy
Sk. Abdul Rahim
...for the petitioner

Mr. Biswajit De
Ms. Rajlakshmi Ghatak
....for the State

Mr. Sourav Mitra
...for the WBCSSC

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

Matter relates to transfer of the petitioner on medical ground who is working as teacher in-charge of IV class junior high school in Purulia. The grievance which was made on behalf of the petitioner on previous occasion during course of hearing was failure on the part of the said school authority to forward the transfer application of the petitioner dated 11th March, 2022 to the higher authorities for taking decision. Since the school authority was not represented the District Inspector of Schools (SE) Purulia was directed to submit a report in the form of affidavit and the same was filed on 27th August, 2024 in Court and was taken on record. From a document which at page 15 of the said report it appears that there are four teachers presently working in

the school and all four teachers have applied for transfer on medical ground. Meeting of the Ad-hoc Committee was convened on 23rd March, 2022 and it was found that if transfer applications of all the four teachers are forwarded and accepted by the higher authorities in that event there would be no teacher in the school and academic impasse would be created.

Furthermore, it appears that the school being IV class junior high and having four units from classes V to VIII at least four teachers would be required to run the institution. At present there are four assistant teachers against four class units and if petitioner is permitted to take transfer and other three teachers who have also applied for transfer on medical ground are not permitted to take transfer in that event also the Ad-hoc Committee of the school would find it difficult to run the institution.

Considering the academic interest of the students of the school the writ petition stands dismissed.

However, this order shall not preclude the petitioner to apply for transfer in future if teaching strength of the school is augmented.

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.)