

13.08.2024
Ct. No. 14
Sl. No.36
KB

**In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 19653 of 2024

**Mousumi Mondal
-versus-
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
Ms. Shrejeta Mitra
Mr. Afrin Nahar Mondal
...For the Petitioner.

Mr. Bibek Jyoti Basu
Ms. Nilofer Siddique
... For the State.

Mr. Ratul Biswas
Mr. Kaushik Chowdhury
... For the WBBPE.

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

The petitioner's application seeking general transfer on the ground of long distance is pending consideration.

The District Inspector of Schools (Primary Education), Paschim Bardhaman in his instruction dated 9th August, 2024 has mentioned that the prayer of the petitioner cannot be entertained as the pupil teacher ratio in the school is not favourable for her transfer. The Right to Education Act has been relied

upon by the District Inspector of Schools to arrive at the aforesaid conclusion.

However, as the application is pending consideration, the Secretary, West Bengal Board of Primary Education is directed to take a decision on the said application in accordance with law at the earliest but positively within a period of 90 days from the date of communication of this order.

The aforesaid respondent shall pass a reasoned order and communicate the same to the parties.

Learned advocate for the petitioner is directed to forward a copy of the application to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)