

Ml- 19.06.2024
164 Ct.18
rkd

W.P.A. 20382 of 2022

Chandrima Dasgupta

-vs-

The State of West Bengal & Ors.

Mr. Firdous Samim,
Ms. Gopa Biswas,
Ms. Payel Shome,
Ms. Sampriiti Saha,
Mr. Avijit Kar,
Ms. Mohana Das,
Ms. Purba Mukherjee

....for the petitioner.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey

....for the WBCSSC.

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

The petitioner is an Assistant Teacher in a
Government aided High School who has sought
transfer on the ground of distance in between the
two schools of herself and her husband as
contemplated under Rule 4(1)(c) of the West
Bengal School Service Commission (General
Transfer, Transfer On Special Grounds and
Reallocation) Rules, 2015.

Attention of this Court has been drawn to a
document at page 74 of the writ petition wherefrom
it appears that the application of the petitioner
seeking transfer was sent back to the head of the

institution since the authority found that the petitioner was single teacher in the subject in the school where she is serving.

The learned advocate representing the petitioner submits that since the transfer application of the petitioner till date has not been considered by the authority on the ground that she was found single teacher in the subject steps be taken by the concerned District Inspector of Schools (S.E.) in sync with the school authorities to make local arrangement in terms of the notification dated 3rd January, 2022 issued by the Additional Secretary to the Government of West Bengal, School Education Department.

West Bengal Central School Service Commission is represented by learned advocates.

Having considered the submissions made on behalf of the parties and on perusal of the relevant materials available on record, the present writ petition is disposed of directing the District Inspector of Schools (S.E.), North 24 Parganas to make endeavour for making local arrangements in terms of the notification dated 3rd January, 2022 and in the event any teacher from the neighbouring school is willing to function as Assistant Teacher in the relevant subject in the school of the petitioner

on temporary basis the respondent authorities are directed to take steps in accordance with law for transfer of the petitioner based on the application made by her.

It is also recorded that while making local arrangement presence of Para teacher in the subject of the petitioner in the concerned school as submitted on behalf of the petitioner shall also be taken into consideration by the concerned respondent authorities.

However, there shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)