

19.08.2024
Ct. No. 14
Sl. No.34
KB

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

W.P.A 20712 of 2024

**Md. Motahar Hossain & Anr.
-Vs-
The State of West Bengal & Ors.**

Mr. Shuvro P. Lahiri
Mr. Rajesh Naskar
...For the Petitioners.

Mr. Anil Kumar Jana
Mr. Debopriyo Karan
... For the State.

Mr. Avishek Prasad
... For the DPSC, Malda.

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

Leave granted to implead the Secretary, West Bengal Board of Primary Education as party respondent in the instant writ petition. Let a copy of the writ petition be served upon Mr. Kaushik Chowdhury learned advocate who is present in Court and who usually represents the Board before this Court.

Affidavit-of-service filed in Court today is taken on record.

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.

As the petitioners have already put in more than two years of service, accordingly, the Board will not insist upon production of the letter of confirmation from the petitioners at the time of consideration of their application seeking transfer.

The Board shall seek the necessary information as regards the status of the teachers and the vacancy statement 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 seeking 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.)