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22.08.2024
d.p.

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

W.P.A 21004 of 2024

**Sain Aktar & Anr.
-versus
The State of West Bengal & Ors.**

**Mr. Shuvro Prokash Lahiri,
Mr. Rejesh Naskar.
...For the Petitioners.**

**Mr. Somnath Ganguli,
Ms. Kalpita Paul.
...For the State.**

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

**Mr. Bhaskar Vaisya,
Mr. Suman Dey.
...For DPSC, Bankura.**

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

Leave granted to the advocate on record of the petitioners to implead the Secretary, West Bengal Board of Primary Education as party respondent in the instant writ petition. The formality of serving a copy of the writ petition upon the added respondent stands dispensed with as the Board is represented by the learned counsel.

The petitioners applied for mutual transfer. Their application is pending consideration at the end of the West Bengal Board of Primary Education.

Without going into the merits of the application, the instant writ petition is disposed of by directing the Secretary, West Bengal Board of Primary Education to consider 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. A reasoned order shall be passed and communicated to the petitioners immediately thereafter.

As the petitioner no. 2 has already put in more than two years of service, accordingly, the Board will not insist upon production of the letter of confirmation from the petitioner no. 2 at the time of consideration of the 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 order passed hereinabove.

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

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.)