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12.09.2024
AGM

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

WPA 21778 of 2024

**Rumpa Bag & Anr.
vs.
The State of West Bengal & Ors.**

**Mr. Sudipta Dasgupta.
Mr. Sondwip Sutradhar.
... For the Petitioners.
Mr. Ratul Biswas.
Mr. Kaushik Chowdhury.
... For the WBBPE.
Mr. Ritesh Kumar Ganguly.
... For the State.
Mr. Avishek Prasad.
... For the DPSC, Malda.
Mr. Ranjan Saha.
... For the DPSC, Paschim Medinipur.**

Affidavit-of-service filed today be kept with the records.

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.

The petitioner no. 1 has put in more than two years in service but is yet to receive the confirmation letters. The Board shall not insist the petitioner no. 1 to produce the confirmation letters for consideration of the application for 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.

Be it recorded that the petitioner no. 2 was transferred in the year 2020. Since it is a case of mutual transfer, the bar of transfer within five years of the previous transfer will not be made applicable in the present case.

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.)