

11 22.11.2024
rkd Ct.18

W.P.A. 21806 of 2024

Paromita Saha

-vs-

The State of West Bengal & Ors.

Mr. Ujjal Ray,
Mr. Arpa Chakraborty

....for the petitioner.

Mr. Avishek Prasad,
Mr. Sourdeep Singha

....for the respondent no.8.

Mr. Sunit Kumar Roy

....for the WBCSSC.

Mr. Arujn Ray Mukherjee

....for the State.

Affidavit-of-service filed on behalf of the petitioner in terms of the order dated 6th November, 2024 is taken on record.

Matter relates to transfer of the petitioner on the ground of distance in between the present school of the petitioner and her place of residence.

An application for transfer was made on Utsashree portal on 29th May, 2022 but it has been submitted that the school authority where petitioner is presently working did not forward the transfer application of the petitioner to the concerned District Inspector of Schools (SE), North 24 Parganas being respondent no.6 for taking further steps based on transfer application.

However, learned advocate representing the

authority of Mirahati High School (HS), District-North 24 Parganas has submitted that vide letter dated 29th June, 2022 transfer application of the petitioner was forwarded to the respondent no.6 and subsequently another email letter dated 4th July, 2022 was sent to the said respondent no.6.

According to the school authorities they have processed the transfer application of the petitioner and subsequently since they have forwarded the same to the respondent no.6 no further steps are required to be taken on their behalf for petitioner's transfer.

Since it has been communicated by the aforesaid school authority to the respondent no.6 that petitioner is a single teacher in the subject in the school steps are required to be taken in terms of the notification dated 3rd January, 2022 issued by the State Government.

Respondent no.6 is directed to find out a willing teacher of a neighbouring school who can man the post of the petitioner temporarily till regular incumbent joins the resultant vacancy after transfer of the petitioner.

If willing teacher is found and it is found by the respondent no.6 that the case of transfer of the petitioner is a "fit case" under notification dated 3rd

January, 2022, petitioner shall be transferred in accordance with law.

Copy of the letter dated 29th June, 2022 and the copy of the email dated 4th July, 2022 which are placed before this Court on behalf of the school authority are taken on record.

With the aforesaid observations and directions, the writ petition stands disposed of

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.)