

MI- 18.11.2024
111 Ct.18
rkd

W.P.A. 21215 of 2023

Piyali Goswami

-vs-

The State of West Bengal & Ors.

Mr. Shuvro Prokash Lahiri,
Mr. Rajesh Naskar,
Mr. Ankan Mondal

....for the petitioner.

Ms. Sulagna Bhattacharya

....for the State.

Ms. Koyeli Bhattacharyya,
Mr. Bibek Dutta,
Ms. Keya Panja

....for the WBBSE.

Mr. Sunit Kumar Roy

....for the WBCSSC.

Affidavits-of-service filed on behalf of the
petitioner are taken on record.

However, in spite of service of notice
Shibdas Central Girl's High School being
respondent nos.7 & 8 are not represented.

However, other respondents are
represented by learned advocates.

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.

It is submitted that while processing the
transfer application of the petitioner she was found
single teacher in the school as a result whereof
petitioner could not be transferred. Petitioner relies

upon Government notification dated 3rd January, 2022 for making local arrangement in the school of the petitioner which would facilitate the petitioner's transfer to other school.

The learned advocate representing the State respondents on instruction submits that the District Inspector of Schools (SE), Bankura being respondent no.5 has sent a letter vide memo dated 27th October, 2021 to the authority of another neighbouring school for deputing a teacher temporarily in the school of the petitioner for petitioner's transfer. However, it is submitted that till date willing teacher is not available to man the post of the petitioner.

In support of such contention memo dated 27th October, 2021 issued by the respondent no.5 is placed before this Court and taken on record.

Having considered the submissions made on behalf of the parties, it appears that the respondent no.5 has made attempt to find out a willing teacher to man the post of the petitioner for her transfer but till date local arrangement at the school of the petitioner cannot be made.

In consideration of Government notification dated 3rd January, 2022 Court directs the respondent no.5 to make an endeavour to find out

willing teacher of a neighbouring school who can man the post of the petitioner temporarily till regular incumbent joins the resultant vacancy to be created on transfer of the petitioner.

If respondent no.5 finds a willing teacher who can take the classes in the school of the petitioner temporarily in that event petitioner shall be transferred in accordance with law, if it is found as “fit case” in terms of the said notification dated 3rd January, 2022.

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 the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)