

W.P.A. 22181 of 2022

**Sudipta Mukherjee
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
Ms. Afrin Nahar Mondal
...for the Petitioner

Ms. Debarati Sen (Bose)
...for the State

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
...for the WBCSSC

Matter is heard in presence of the learned advocates and it has been submitted on behalf of the petitioner that teaching strength in the school remains same after transfer of eight teachers during the period from 22nd September, 2020 till 30th June, 2022. It has already been found as recorded in the order dated 12th August, 2024 that the transfer of eight teachers out of twenty two teachers is beyond the restrictions of not to transfer more than 10% of the existing teaching staff of the school as it is contemplated under Rule 5(6) of the West Bengal School Service Commission (General Transfer, Transfer on Special Grounds and Reallocation) Rules, 2015.

In view of aforesaid situation relating to teaching staff strength of the school where petitioner is presently

working applying the restrictions in terms of Rule 5(6) as amended transfer application of the petitioner at this stage ought not to be allowed.

Accordingly, the writ petition stands dismissed.

However, this order shall not preclude the petitioner to make application seeking transfer in future in the event teaching staff strength of the school is substantially augmented.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)