

ML 64
07.08.2024
Ct. No. 18
adeb

W.P.A. 22544 of 2022

**Mihir Kayal
Vs.
The State of West Bengal & Ors.**

Mr. Ujjal Roy
Sk. Abdur Rahim
...for the petitioner

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

Affidavit of service filed on behalf of the petitioner in terms of the order dated 19th July, 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 his residence. The learned advocate representing the petitioner submits that previous transfer application could not be considered by the respondent authorities since petitioner was found to be a single teacher. Subsequently, petitioner made another application for transfer on 27th January, 2022 and the same is pending before the school authority.

The authority of Babupur Junior High School District-Malda being respondent nos. 7 and 8 are directed to forward the transfer application of the petitioner dated 27th January, 2022 to the office of the concerned District Inspector of Schools by 7 (seven) days from the date of communication of this order.

If the District Inspector of Schools (SE) Malda being respondent no. 5 receives transfer application from the aforesaid school authority he shall take steps on the transfer application of the petitioner in accordance with law. If petitioner is found to be a single teacher in the subject in the aforesaid school the respondent no. 5 shall make an endeavour to find out a willing teacher from neighbouring school to make local arrangement in terms of the Government notification dated 3rd January, 2022 issued by the Additional Secretary, Government of West Bengal, School Education Department in the event District Inspector of Schools finds it as a “fit case”. If local arrangement is made in terms of the notification dated 3rd January, 2022 the transfer application of the petitioner shall be forwarded to the West Bengal Central School Service Commission for taking decision in accordance with law.

With the aforesaid observation the writ petition stands disposed of.

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.)