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12.09.2024
d.p.

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

W.P.A 23088 of 2024

**Manas Patra & Anr.
-versus
The State of West Bengal & Ors.**

**Mr. Shuvro P. Lahiri,
Mr. Rajesh Naskar,
Mr. Ankan Mondal.
...For the Petitioners.**

**Ms. Sabnam De Bardhan,
Ms. Rupsha Chakraborty.
...For the State.**

**Mr. Ratul Biswas,
Mr. Kaushik Chowdhury.
...For WBBPE.**

**Mr. Ranjan Saha.
...For DPSC Paschim Medinipur.**

**Mr. Bhaskar Prasad Vaisya,
Mr. Gourav Das.
...For DPSC, South 24-Pgs.**

Affidavit-of-service filed in Court today is taken on record.

The petitioners applied for mutual transfer. Their application is pending consideration at the end of the West Bengal Board of Primary Education.

Without going into the merits of the application, the instant writ petition is disposed of by directing the Secretary, West Bengal Board of Primary Education to consider the said application in accordance with law, at the earliest, but positively within a period of 90 days

from the date of communication of this order. A reasoned order shall be passed and communicated to the petitioners immediately thereafter.

As the petitioner no. 1 has already put in more than two years of service, accordingly, the Council will not insist upon production of the letter of confirmation from the petitioner no.1 at the time of consideration of the application seeking transfer.

Since this is a case of mutual transfer, the restriction of putting in five years service prior to consideration of the application for transfer may not be made applicable in this case.

The Board shall seek the necessary information as regards the status of the teachers and the vacancy position from the concerned District Primary School Council who shall immediately transfer the required data to the Board for compliance of the direction passed hereinabove.

Learned advocate for the petitioners is directed to forward a copy of the application for seeking transfer to the aforesaid respondent at the time of communicating the order of the Court.

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.)