

ML 215
25.06.2024
Ct. No. 18
adeb

W.P.A. 22785 of 2022

**Birendra Nath Biswas
Vs.
The State of West Bengal & Ors.**

Mr. Sakti Pada Jana
...for the petitioner

Mr. Avishek Prasad
...for the State

Petitioner made applications for transfer on several occasions on the ground of distance in between his school and place of residence and the last application was made on 9th September, 2022 as it appears from a document annexed at page 24 of the writ petition. The transfer application of the petitioner could not be allowed as it has been submitted by the learned advocate representing the State-respondents since petitioner was found as single teacher in the subject in the concerned school.

Learned advocate for the petitioner submits that in case of single teacher notification dated 3rd January, 2022 issued by the Additional Secretary, Government of West Bengal, School Education Department applies.

Having considered the submissions made on behalf of the parties and on perusal of the materials available on record the writ petition stands disposed of directing the District Inspector of Schools (SE), Dakshin Dinajpur being respondent no. 3 to make endeavour to find out willing teacher from the neighboring school who is ready to take classes in the subject which is taught by the petitioner in his school temporarily which would facilitate transfer of the petitioner. While taking steps the concerned District

Inspector of Schools is also required to consider the document which is at page 27 of the writ petition wherefrom it appears that a teacher of a neighboring school has already expressed willingness to take classes. If local arrangement is made in terms of the notification dated 3rd January, 2022 the concerned respondent authority shall take steps for transfer of the petitioner based on his last application dated 9th September, 2022. While taking decision on transfer of the petitioner suspension of Utsashree Portal shall not create any impediment.

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.)