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19.09.2024
Ct. No. 18
adeb

W.P.A. 23173 of 2024

**Nandita Das
Vs.
The State of West Bengal & Ors.**

Mr. Ekramul Bari
Sk. Imtiaz Uddin

...for the Petitioner

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta

...for the WBBSE

Mr. Sourav Mitra

...for the WBCSSC

Affidavit of service filed on behalf of the petitioner
is taken on record.

Matter relates to transfer of the petitioner being an
assistant teacher in a Government aided secondary
school on the ground of distance in between the present
school of the petitioner and her place of residence.
Petitioner had disputed the observation made by the
school authority that the distance in between the school
of the petitioner and her place of residence is less than
25 kilometers but it is above 25 kilometers. It is also
submitted that a letter was issued on 20th September,
2022 addressed to the headmistress of Kulti Girls' High
School (HS) District-Paschim Burdwan informing the
present address of the petitioner and the distance in
between the school and the address which is stated in
the letter dated 20th September, 2022 is more than 25

kilometers. Therefore, according to the petitioner her transfer application needs consideration by the concerned respondent authorities.

Respondents are represented by learned advocates.

Placing reliance on a document which is at page 21 of the writ petition it appears that petitioner applied for transfer on the designated portal on the ground of distance in between the school of the petitioner and her place of residence on 29th August, 2022 and on 20th September, 2022 the school authority rejected the transfer application of the petitioner on the ground that the distance in between the residence of the petitioner and the school is less than 25 kilometers. From the submission made on behalf of the parties it appears that on the date of making application by the petitioner on the portal on 29th August, 2022 the official address of the petitioner was not the address which is stated in her letter dated 20th September, 2022 and it is indisputable that the distance in between the official address of the petitioner and the school on the date of making application was more than 25 kilometers. In the service records of the petitioner the residential address is not the address which was stated in her letter dated 20th September, 2022.

On 20th September, 2022 when the school authority rejected the transfer application of the petitioner on the ground that the distance in between the

address of the petitioner and the school is not more than 25 kilometers petitioner by letter dated 20th September, 2022 informed the school authority about her present address. Such steps taken by the petitioner appears to be afterthought. Therefore, no relief can be granted to the petitioner.

Accordingly, the writ petition stands dismissed.

However, this order shall not preclude the petitioner to make application for transfer on the ground of distance in future in accordance with law.

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.)