

32
07.10.2024
d.p.

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

W.P.A 23720 of 2024

**Prasenjit Roy & Anr.
-versus
The State of West Bengal & Ors.**

**Mr. Santanu Maji,
Mr. S. Das.
...For the Petitioners.**

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

**Mr. Nilay Baran Mandal.
...For DPSC, Kolkata.**

**Mr. Arindam Chattopadhyay.
...For DPSC, Nadia.**

**Mr. Tapan Coomaar Dey.
...For the State.**

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

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

3. 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.

4. Petitioner no. 1 was last transferred in the year 2022. 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.

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

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

7. The writ petition stands disposed of.

8. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)