

**ML 79
12.08.2024
Ct. No. 18
adeb**

W.P.A. 23504 of 2022

**Amita Sil
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
...for the Petitioner

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
...for the Board

Mr. Sunit Kumar Roy
...for the SSC

Mr. Avishek Prasad
...for the State

Affidavits of service filed on behalf of the petitioner are taken on record.

Matter relates to transfer of an assistant teacher on the ground of distance in between the residence of the petitioner and her present school. An application for transfer was made on 26th September, 2022 before the school authority where petitioner is serving at present and the same was forwarded to the concerned District Inspector of Schools for taking necessary steps. However, the concerned District Inspector of Schools (SE) refused to take steps on the transfer application of the petitioner since petitioner was found to be single teacher in the subject in the school. Petitioner relies upon notification dated 3rd January, 2022 issued by the Additional

Secretary to the Government of West Bengal, School Education Department for making local arrangement in the school for her transfer to another school.

State-respondents, West Bengal Central School Service Commission and the Board are represented by learned advocates. It has been submitted that in terms of the Government notification dated 3rd January, 2022 effort should be made by the appropriate authority to make local arrangement for transfer of the petitioner.

Having considered the submissions made on behalf of the parties the writ petition stands disposed of directing the District Inspector of Schools (SE), North 24 Parganas being respondent no. 4 to make an endeavour to find out a willing teacher of neighbouring school who can man the post of the petitioner temporarily which would facilitate petitioner's transfer till regular incumbent joins the post after petitioner transfer. If local arrangement is made on finding that it is a "fit case" by the respondent no. 4 petitioner shall be transferred to other school in accordance with law on forwarding petitioner's application to the West Bengal Central School Service Commission for taking final decision.

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.)