

ML 80
12.08.2024
Ct. No. 18
adeb

W.P.A. 23506 of 2022

**Ratan Dhara
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
...for the Petitioner

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

Mr. Sourav Mitra
...for the CSSC

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

In spite of service of notice upon the learned advocate representing the State-respondents, those respondents are not represented.

Matter relates to general transfer of the petitioner on the ground of distance in between the present school of the petitioner and his place of residence. Petitioner made application for transfer on 10th January, 2022 and the same was forwarded by the school authority where petitioner is presently serving to the concerned District Inspector of Schools (SE) for taking further steps. However, the concerned District Inspector of Schools has refused to take steps on the transfer application of the petitioner on the ground that the petitioner is a single teacher in the subject in the school. Petitioner prays for

direction upon the State-respondents to make an effort to ensure local arrangement in the school in terms of Government notification dated 3rd January, 2022.

West Bengal Central School Service Commission and the Board are represented by learned advocates who have also submitted that effort should be made by the concerned District Inspector of Schools (SE) for making local arrangement in the school 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), Paschim Burdwan 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's transfer. If local arrangement is made on finding that it is a "fit case" by the respondent no. 4 petitioner shall be transferred to another 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.)