

19.02.2024.
Court No. 13
Item No. 108
ap

W.P.A. No. 23438 of 2023

**Sri Supratim Bhowmick
Versus
The State of West Bengal & Ors.**

Mr. D. B. Dutt,
Mr. Biswarup Chatterjee.

...For the petitioner.

Mr. Jahar Dutta,
Mr. Partha Sarathi Sen Sharma.

...For the State.

Mr. Bhaskar Prasad Vaisya,
Mr. Pinaki Bhattacharyya.

...For DPSC, North 24 Pgs.

Mr. Bhaskar Prasad Vaisya,
Mr. Ranjan Saha.

....For DPSC, South 24 Pgs.

1. Affidavit-of-service and supplementary affidavit filed in Court today are taken on record.
2. The petitioner seeks transfer within the Khardah Circle, North 24 Parganas on account of recent medical emergency. The petitioner is suffering from various chronic ailments in addition to a recent heart surgery.
3. Counsel for the State has made oral submissions and has also submitted written instructions.
4. It appears that the petitioner has obtained a mutual transfer from another School on 26th October, 2021. It further appears that the pupil-teacher ratio in the present School where the petitioner is teaching is 23:1.

5. Having regard to the fact that the petitioner has already obtained one mutual transfer in 2021, he is not normally entitled to apply for another transfer within five years thereof. Exception is made for transfer on medical grounds.

6. This Court is, however, of the view that since the distance between the petitioner's School and his residence is only four kilometers and the pupil-teacher ratio in the present School he is serving is pretty low, the respondents are justified in not responding to his application for transfer.

7. In that view of the matter, no relief can be granted to the petitioner in this writ petition. The instant writ petition shall stand disposed of without any order.

8. Instruction of the District Inspector of Schools (P.E.), North 24 Parganas dated 10th October, 2023 filed in Court today be also kept with the record.

9. There will be no order as to costs.

10. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)