

29 07.10.2024
rkd Ct.18

W.P.A. 25504 of 2024

Ashutosh Paul & Anr.

-vs-

The State of West Bengal & Ors.

Mr. Anindya Bose,
Mr. Santanu Maji,
Mr. Mridul Biswas

....for the petitioners.

Mr. Sunit Kumar Roy

.... For the WBCSSC.

Affidavit-of-service filed on behalf of the
petitioners is taken on record.

Matter relates to mutual transfer of the
petitioners who made offline application seeking
mutual transfer on 4th September, 2024. It is
submitted on behalf the petitioners that since a
joint application for mutual transfer has been
made, the same needs to be considered by the
concerned authority of the West Bengal Central
School Service Commission.

The writ petition is opposed by the learned
advocate representing the West Bengal Central
School Service Commission based on Rule 4 of the
West Bengal School Service Commission (Mutual
Transfer) Rules, 2012.

It is submitted that neither petitioners have
applied for mutual transfer in the prescribed format

nor requisite fees has been put in by the petitioners which is precondition in terms of Rule 4 of the Rules of 2012.

Having considered the submissions made on behalf of the Commission it appears that applicant teachers seeking mutual transfer are required to follow the norms as prescribed under Rule 4 of the West Bengal School Service Commission (Mutual Transfer) Rules, 2012.

On scrutiny of this writ petition, it appears that the petitioners till date have not obtained “No Objection and Declaration of the School” from the respective school authorities and offline application of the petitioners is not in form. Petitioners have neither deposited requisite fees for consideration of their offline application which was preferred for mutual transfer.

In view of aforesaid shortcomings with regard to mutual transfer application made by the petitioners no relief can be granted. The writ petition stands dismissed.

However, this order shall not preclude the petitioners to apply for mutual transfer in accordance with law, in future.

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.)