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13.11.2024
Ct. No. 18
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W.P.A. 25782 of 2024

**Sanjib Kumar Pandit
Vs.
The State of West Bengal & Ors.**

Mr. Shuvro Prakash Lahiri
Mr. Rajesh Naskar
..for the petitioner

Mr. Sourav Mitra
...for the SSC

Mr. Santanu Kumar Mitra
Mr. Subhabrata Das
...for the State

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

Matter relates to transfer of the petitioner on the
ground of distance in between the present school of the
petitioner and his place of residence. An application for
transfer was made on Utsashree Portal on 19th August,
2021 but it has been submitted on behalf of the
petitioner on placing reliance on a document at page 86
of the writ petition that authority of Mahammadpur
Satya Smriti Sikshaniketan (HS), District-Purba
Medinipur sent back the transfer application to the
petitioner on 26th August, 2021 on the ground that
petitioner is a single teacher in the subject in the school.

On behalf of the petitioner reliance is placed on the notification dated 3rd January, 2022 of the State Government wherein it has been provided that in case of transfer of a single teacher concerned District Inspector of Schools is required to make an endeavour to make local arrangement in the school of the applicant teacher to facilitate transfer. Petitioner prays for direction upon the concerned District Inspector of Schools to take steps in terms of the said Government Notification dated 3rd January, 2022.

In spite of service of notice aforesaid school authority is not represented. However, State and the West Bengal Central School Service Commission are represented by learned advocates.

Having considered the submissions made on behalf of the parties and taking note of the Government Notification dated 3rd January, 2022 Court directs the District Inspector of Schools (SE), Purba Medinipur being respondent no. 5 to make endeavour to find out a willing teacher of neighbouring school who would man the post of the petitioner temporarily till regular incumbent joins the resultant vacancy. In the event respondent no. 5 finds that it is a “fit case” in terms of notification dated 3rd January, 2022 to make local arrangement and if willing teacher is available petitioner shall be transferred based on his transfer application.

The writ petition stands disposed of.

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.)