

D/L12
28.11.2024
Rohit
ct.no.18

WPA 27600 of 2024

**Sangita Jana
Versus
The State of West Bengal & Ors.**

Mr. Shuvro Prokash Lahiri
Mr. Rajesh Naskar
Mr. R. Mukherjee
Mr. Ankan Mondal
...for the petitioner

Mr. Syed Shamsul Arefin
Ms. Nilofer Siddique Alam
...for the State

Mr. Sourav Mitra
.... For the Central School
Service Commission

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 her place of residence. An
application for transfer was made on UTSASHREE
portal on 6th March, 2022 and same was forwarded to
the District Inspector of Schools (SE) Howrah being
respondent no. 5 for taking further steps. However, it
is submitted that while processing transfer
application it was found that petitioner is a single

teacher in the subject in the school requiring compliance of government notification dated 3rd January, 2022 by making local arrangement in the school to facilitate petitioner's transfer. Grievance of the petitioner is that the respondent no.5 without taking steps in terms of Government notification dated 3rd January, 2022 send the transfer application back to the school for taking steps which according to the petitioner is impermissible in terms of the said notification dated 3rd January, 2022.

Respondents are represented by learned advocates and it is submitted jointly on behalf of the respondents that in terms of notification dated 3rd January, 2022 it is not the school authority but the concerned District Inspector of Schools (SE) is the appropriate authority to find out alternative teacher for the purpose of making local arrangement in the school of the applicant teacher.

Having considered the submissions made on behalf of the parties writ petition stands disposed of directing the respondent no. 5 to make an endeavour to find out willing teacher of neighbouring school who can man the post of the petitioner temporarily till regular incumbent joins the post. If willing teacher is available and if it is found by the respondent no. 5 that the issue relating to the transfer of the petitioner

is a “fit case” in terms of notification dated 3rd January, 2022 transfer order shall be passed in favour of the petitioner.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Saugata Bhattacharyya, J.)