

24.09.2024
Court No. 2
Sl. No. 66
KB

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 2090 of 2024

**Sudipta Roy
-versus
The State of West Bengal & Ors.**

**Mr. Shuvro Prokash Lahiri
Mr. Debajit Kundu
...For the Petitioner.**

**Mr. Sumit Kumar
Ms. Rima Sarkar
...For the State.**

**Mr. Sunit Kumar Roy (VC)
Mr. Subhasish Misra
... For the SSC.**

The petitioner was appointed as a Sanskrit Teacher. She has been posted in a school and is serving there for the last sixteen years without teaching Sanskrit because there is no student for reading Sanskrit in the said school. Her application for transfer filed in the Utsashree portal was returned from the end of the District Inspector of Schools (SE) on the ground of she being the single subject teacher of Sanskrit. She thereafter made a representation before the Commissioner of School Education requesting transfer. The said application is pending consideration.

The Court is at a loss to understand as to why the petitioner was posted in a school to teach a subject where there is no student to learn the same. The service of the petitioner ought to have been utilized for teaching the subject in which she has been appointed. Retaining the petitioner in the said school on the ground of being a single teacher of Sanskrit and directing her to teach other subjects other than Sanskrit is highly improper.

In view of the above, the instant writ petition is disposed of by directing the Commissioner of School Education to consider and dispose of the representation filed by the petitioner on 19th September, 2021 for transferring her to any school nearby to her residence at the earliest but positively within a period of sixty days from the date of communication of this order. A reasoned order shall be passed and communicated to the petitioner.

Learned advocate for the petitioner is directed to forward a copy of the application seeking transfer along with all documents in support of her prayer to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)