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30.09.2024
d.p.

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A 2102 of 2024

**Dilip Chandra Das
-versus
The State of West Bengal & Ors.**

**Mr. Satyajit Paul.
...For the Petitioner.**

**Mr. Anirban Banerjee,
Mr. Sourav Sarkar.
...For the State.**

**Mr. Sunit Kumar Roy.
...for SSC.**

1. Affidavit-of-service filed in Court today is taken on record.
2. The petitioner is a secondary school teacher. He seeks transfer.
3. It appears that the application seeking transfer was made directly before the District Inspector of Schools (S.E.), Alipurduar.
4. According to the provisions of law, application seeking transfer is required to be filed before the head of the institution where the teacher is serving. In the instant case the petitioner did not file any application before the head of the institution but directly applied before the District Inspector of Schools. The same is contrary to law.
5. The instant writ petition is disposed of by granting leave to the petitioner to file appropriate application before the head of the institution.

6. In the event such an application is filed, the same shall be considered by the authority and necessary follow up steps taken.
7. The respondent no. 6 has been impleaded erroneously. Leave is granted to the learned advocate-on-record of the petitioner to delete the respondent no. 6 from the array of respondents in the cause title of the writ petition.
8. Leave is also granted to the advocate on record of the petitioner to correct the description of the respondent no. 5 in the cause title. The correct respondent shall be the District Inspector of Schools (S.E.), Alipurduar.
9. The writ petition stands disposed of.
10. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)