

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
SPECIAL JURISDICTION

Item No.1
14.11.2024
Court. No. 14
GB

CPAN 38 of 2024
In
WPA 2064 of 2023

Deepak Paswan
VS
Ms. Balika Goley

Mr. Ujjal Ray,
Ms. Sk. Abdur Rahim.

...for the petitioner.

Mr. Hirak Barman,
Ms. Bedashruti Bose

...for the alleged contemnor.

1. Learned advocate for the petitioner has placed before this Court the memo of the District Inspect of Schools (S.E.), Jalpaiguri dated October 1, 2024, addressed to the teachers of the subject school mentioning that the teachers are directed to take house to house campaign to the guardians of the subject school and the Western Dooars Clubline Primary School as they have 20 and 15 outgoing students every year who can be admitted to the school. The same can increase enrolment. The teachers have been directed to ensure regular attendance of the students in the school.
2. The issue before the District Inspector of Schools was consideration of the prayer made by the petitioner seeking transfer on the ground that there are only 26 enrolled students where hardly 4 or 5 turn up on daily

basis. There are days with only 1 or 2 students and at time zero attendance.

3. The petitioner seeks transfer to a school where his service will be required on regular basis.
4. On a perusal of the communication placed before the Court today, it appears that the District Inspector of Schools has failed to appreciate the issue in question and has completely misdirected himself.
5. Under such circumstances, I am of the opinion that the matter may be placed before the Commissioner of School Education to consider the prayer of the petitioner seeking transfer to a school with regular students.
6. Let this order be communicated to the Commissioner of School Education, who was impleaded as respondent no.4 in the writ petition. The Commissioner of School Education shall consider the entire issue and pass an order in the matter after hearing the necessary parties at the earliest but positively within a period of eight weeks from the date of communication of this order.
7. Let the contempt application be relisted on January 16, 2025.

(Amrita Sinha, J.)