

06 17.02.2025
rkd Ct.18

W.P.A. 1817 of 2025

Pintu Rit

-vs-

The State of West Bengal & Ors.

Mr. Sabyasachi Chatterjee,
Mr. Badrul Karim,
Mr. Surajit Ray,
Mr. Aritra Ghosh

....for the petitioner.

Mr. Sabyasachi Mondal,

....for the State.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey

....for the WBCSSC.

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

In the writ petition issue involved is
transfer of the petitioner from Nibra High School,
Howrah to Khajuri High School, Howrah in terms of
the order dated 7th January, 2025 issued by the
Deputy Secretary, School Education Department,
Government of West Bengal. Such decision to
transfer the petitioner has been taken in terms of
Section 10C of the West Bengal School Service
Commission (Amendment) Act, 2017 in the interest
of education.

After the decision to transfer the petitioner
is taken by the Deputy Secretary on 7th January,

2025 West Bengal Central School Service Commission has recommended for transfer of the petitioner vide memo dated 17th January, 2025 and finally transfer order was issued on 5th February, 2025.

Copies of recommendation memo dated 17th January, 2025 and transfer order dated 5th February, 2025 are placed before this Court and same are taken on record.

Mr. Chatterjee, learned advocate representing the petitioner submits that the petitioner has joined the transferred post on 8th February, 2025. However, he has expressed concern that such transfer may be construed as a penal transfer since report was furnished by the concerned respondent authorities relating to service of the petitioner in Nibra High School, Howrah.

On perusal of the decision taken by the State authorities on 7th January, 2025 to transfer the petitioner it is apparent that decision was taken in the interest of education and there is no indication in such decision as contained in memo dated 7th January, 2025 that based on reports prepared against the petitioner he was transferred. Therefore the transfer of the petitioner to be

construed as transfer in terms of Section 10C of the West Bengal School Service Commission (Amendment) Act, 2017 and not a penal transfer.

With the above observation, the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)