

25
19.03.2025
Ct. No. 18
adeb

W.P.A. 2240 of 2025

**Goutam Saha
Vs.
The State of West Bengal & Ors.**

Mr. Sakti Pada Jana
Mr. Subhajyoti Das
...for the petitioner

Mr. Gaurav Das
Mr. Sabyasachi Mukherjee
...for the State

Mr. Gauranga Kumar Das
Ms. Poulami Dutta
...for the respondent no. 7

Mr. Sunit Kumar Roy
...for the SSC

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

In terms of the order dated 18th February, 2025 report dated 24th February, 2025 of the District Inspector of Schools (SE) North 24 Parganas is placed before this Court and same is taken on record. From the report dated 24th February, 2025 it appears that at present there are six teachers working in the school excluding the headmaster. Therefore, on applying rules relating to 10% of the existing teaching staff as contemplated under Rule 5(6) of the Transfer Rules of 2015 one teacher should be permitted to take transfer. Considering the number of teachers working in the school at present this Court finds

the Government Notification dated 3rd January, 2022 being no. 10-SE is not applicable.

Therefore, the District Inspector of Schools (SE), North 24 Parganas being respondent no. 3 is directed to forward the transfer application of the petitioner to the West Bengal Central School Service Commission by 7 (seven) days from the date of communication of this order.

On receipt of transfer application Chairman, West Bengal Central School Service Commission being respondent no. 5 shall decide the transfer application of the petitioner dated 25th August, 2022 which was made on Utsashree Portal by 4 (four) weeks thereafter in accordance with law not being influenced by the previous decision taken by the Secretary-in-Charge, West Bengal Central School Service Commission dated 10th September, 2024 since such decision was taken based on transfer application dated 28th May, 2022. The decision of the respondent no. 5 shall be communicated to the petitioner by 10 (ten) days thereafter.

It is made clear that suspension of portal shall not be a ground to reject transfer application of the petitioner.

The writ petition stands disposed of.

Urgent Photostat certified copy of this order,
if applied for, be given to the parties on usual
undertaking.

(Saugata Bhattacharyya, J.)