

WPA 2275 of 2025

**Md. Minarul Islam
Vs.
The State of West Bengal & Ors.**

Mr. Shuvro Prakash Lahiri
Mr. Rajesh Naskar
Mr. Ankan Mandal
...for the petitioner
Mr. Samsul Kabir Humayan Reza
...for the State
Mr. Sunit Kumar Roy
...for the SSC

Affidavit of service filed on behalf of the petitioner in terms of the order dated 19th February, 2025 is taken on record. In spite of service of notice authority of Tildanga High School (HS) Murshidabad (hereinafter referred to as 'said school') being respondent nos. 7 and 8 are not represented today.

Petitioner made an application for transfer on 25th September, 2021 on general ground (distance) on Utsashree Portal. Grievance of the petitioner is said school authority returned the transfer application of the petitioner on 7th October, 2021 without forwarding the same to the concerned District Inspector of Schools (SE) Murshidabad being respondent no. 5. It is submitted that petitioner is the single teacher in

the subject in the said school. Therefore, Government Notification dated 3rd January, 2022 is required to be adhered to in transferring the petitioner from his present school to another school.

State respondents and West Bengal Central School Service Commission are represented by learned advocates.

It is rightly contended on behalf of the petitioner that if he is found to be a single teacher in the subject in the school instead of sending back the transfer application of the petitioner dated 25th September, 2021 to him said school authority was required to forward the same to the respondent no. 5 for taking necessary steps as per Government Notification dated 3rd January, 2022.

Hence, the writ petition stands disposed of directing the said school authority being respondent nos. 7 and 8 to forward the transfer application of the petitioner to the respondent no. 5 by 7 (seven) days from the date of communication of this order. On receipt of transfer application respondent no. 5 shall make an endeavour to find out a willing teacher of neighbouring school who can man the post of the

petitioner temporarily till regular incumbent joins the resultant vacancy after transfer of the petitioner. If willing teacher is found and it is also found to be a 'fit case' under notification dated 3rd January, 2022 the concerned respondent authority shall transfer the petitioner to another school in accordance with law.

Transfer application of the petitioner shall not be rejected on the ground of suspension of portal.

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.)