

16 19.02.2025  
rkd Ct.18

W.P.A. 2457 of 2025

Sudin Chowdhury

-vs-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,  
Ms. Shreyeta Mitra,  
Ms. Debolina Chakraborty

....for the petitioner.

Mr. Moloy Roy,  
Mr. Siddhartha Banaerjee

....for the State.

Ms. Koyeli Bhattacharyya,  
Mr. Bibek Dutta,  
Ms. Keya Panja

....for the WBBSE.

Mr. Sourav Mitra

....for the WBCSSC.

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

An application for transfer was made on  
portal on 1<sup>st</sup> November, 2021 on the ground of  
distance in between the present school of the  
petitioner and his place of residence.

The grievance of the petitioner is on 15<sup>th</sup>  
November, 2021 District Inspector of Schools (SE),  
Birbhum being respondent no.4 sent back the  
transfer application of the petitioner to the school  
authority where petitioner is presently serving with  
an endorsement that the transfer application needs  
to be kept with the school authority till alternative

arrangement is made.

It is submitted on behalf of the petitioner that he is a single teacher in Geography in higher secondary section in the school. Therefore, Government notification dated 3<sup>rd</sup> January, 2022 is required to be followed for ensuring alternative arrangement in the school of the petitioner in order to facilitate his transfer.

However, respondent no.4 without taking steps to find out alternative teacher for making local arrangement in the school of the petitioner wrongly sent back the transfer application of the petitioner to the school authority.

Respondents are represented by learned advocates.

It is submitted on behalf of the respondents since petitioner is single teacher in Geography in higher secondary section and there is no other teacher of Geography in normal section of the school who can take classes of higher secondary section petitioner needs to be considered as single teacher in the subject in higher secondary section of the said school. Therefore, respondent no.4 is required to take steps in terms of Government notification dated 3<sup>rd</sup> January, 2022.

Having considered the submissions made

on behalf of the parties the writ petition stands disposed of directing the District Inspector of Schools (SE), Birbhum being respondent no.4 to make an endeavour to find out willing teacher of neighbouring school who can man the post of the petitioner temporarily till regular incumbent joins in the resultant vacancy to be created due to transfer of the petitioner.

If local arrangement is made on finding willing teacher petitioner shall be transferred in accordance with law.

However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

**(Saugata Bhattacharyya, J.)**