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27.03.2025
Ct. No. 18
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W.P.A. 3124 of 2025

Rupak Dhua
Vs.
The State of West Bengal & Ors.

Mr. Shuvro Prakash Lahiri
Mr. Rajesh Naskar
Mr. Ankan Mondal
...for the petitioner
Mr. Kalyan Kumar Panda
...for the respondent nos. 7 & 8
Mr. Sunit Kr. Roy
...for the SSc

In terms of the order dated 26th February, 2025 an affidavit of service filed today and same is taken on record. School authority of Pundag High School (HS) Purulia being respondent nos. 7 and 8 are represented by learned advocate who submits in connection with transfer application of the petitioner dated 3rd August, 2021 'no objection certificate' could not be issued by the school authority since petitioner is the only teacher in Mathematics in the aforesaid school.

Learned advocate representing the petitioner submits if petitioner is found to be a single teacher in the subject in the school in that event notification dated 3rd January, 2022 may come into play whereby District Inspector of Schools (SE) concerned is required to make alternative arrangement in the school to facilitate petitioners

transfer. It is also submitted that school authority on the ground of single teacher in the subject should not have denied issuance of 'no objection certificate' in favour of the petitioner. According to the petitioner steps are required to be taken by the concerned respondent authorities in terms of Government Notification dated 3rd January, 2022.

West Bengal Central School Service Commission is also represented by learned advocate and it is submitted that in the event applicant teacher is found to be a single teacher in the subject in the school steps ought to be taken in terms of notification dated 3rd January, 2022.

Having considered the submissions made on behalf of the parties writ petition stands disposed of directing the authority of Pundag High School (HS) Purulia being respondent nos. 7 and 8 to forward the transfer application of the petitioner to the District Inspector of Schools (SE) Purulia being 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 willing teacher of neighbouring school who can man the post of the petitioner temporarily till regular incumbent joins

the post on transfer of the petitioner. If willing teacher is found and respondent no. 5 finds it a “fit case” in terms of the notification dated 3rd January, 2022 necessary steps shall be taken by the respondent authorities for transferring the petitioner from present school to another school.

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

(Saugata Bhattacharyya, J.)