

24th Nov., 2025
Item no.M/L 604
Court No. 18
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 3739 of 2025**

In the matter of :
Ratna Dutta & Ors. *.... Petitioners*
VS.
The State of West Bengal & Ors. *....Respondents*

For the Petitioners:
Mr. Ujjal Roy
Mr. Abdur Rahim *....Advocates*
For the WBCSSC:
Mr. Sunit Kr. Roy *....Advocate*

1. Three Secondary School teachers have jointly approached the West Bengal Central School Service Commission seeking permission of mutual transfer.
2. The said application is pending consideration. One of the schools where one of the petitioners is serving did not issue the no objection certificate recommending transfer.
3. The petitioners pray for a direction upon the Commission to consider their prayer for mutual transfer.
4. According to the petitioners, the application for mutual transfer cannot be restricted only between two consenting teachers. The same can be made applicable in respect of three teachers also.
5. The aforesaid submission of the petitioners is opposed by the learned advocate representing the Commission.

6. It has been submitted that the West Bengal School Service Commission (Mutual Transfer) Rules, 2012 does not permit mutual transfer between three consenting teachers.
7. Specific submission is that mutual transfer only between two teachers is permissible. In the absence of no objection certificate issued by the school authority, the Commission is not in a position to consider such application.
8. Learned advocate representing the Commission also draws attention of the Court to the fact that the portal for mutual transfer applications is functional and the petitioners may apply online seeking transfer.
9. Learned advocate for the petitioners asserts that the online portal is still not functional for which the petitioners were compelled to approach this Court for relief.
10. As the transfer is an incidence of service, the said issue is liable to be considered by the Commission irrespective of the fact whether the online portal of the Commission for transfer is functional or not.
11. From the documents annexed to the writ petition there is nothing on record to suggest that the petitioners have already approached the Commission with their prayer seeking transfer.
12. In view of the above, the instant writ petition is disposed of by observing that it will be open for the petitioners to forward their application along with all supporting documents to the Commission. The Secretary, West Bengal Central School Service Commission is directed to consider the petitioners' prayer for mutual transfer strictly in accordance with the prevailing guidelines and Rules at the earliest but positively within a period of eight weeks from the date of receipt of the application from the petitioners.

13. The fate of the petitioners' application for transfer shall be made known to the parties.
14. In the event the application stands rejected, then the reasoned order shall be communicated to the petitioners immediately thereafter.
15. If the application of the petitioners is allowed, then necessary consequential steps shall be taken by the authority without any further delay.
16. The writ petition stands disposed of.
17. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)