

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 5641 of 2025

Shefali Patra
v.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Deblina Chakraborty
Ms. Pritha Biswas
... For the petitioner

Mr. Pradip Kumar Mondal
Ms. Rupannita Laha
... For the State

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Ms. Keya Panja
... For the WBBSE

Mr. Kanak Kiran Bandyopadhyay
... For the WBCSSC

In terms of the order dated 21st March, 2025, a report dated 26th March, 2025 of the District Inspector of Schools (SE), South 24-Parganas is filed before this Court and the same is taken on record.

On perusal of the report dated 26th March, 2025, it appears though at present two Bengali Assistant Teachers have joined in Upper Primary Section in Kaylapara S.D. High School, South 24-Parganas, but in paragraph 6 of the report, it is indicated that there are 1022 students in the said school against which 17 teachers are working including the petitioner which goes to show that Pupil Teacher Ratio (PTR) is 60:1.

In this regard, reliance is placed on amended Rule 6 as contained in notification dated 8th September, 2021 amending the West Bengal School Service Commission (General Transfer, Transfer on Special Grounds and Reallocation) Rules, 2015 wherein it is provided in clause (c) that number of subject teachers and roll strength are relevant considerations in taking decision to transfer an applicant teacher on general ground (distance).

It is true that due to joining of two Assistant Teachers in Bengali in the said school, petitioner should not be adjudged as single teacher, but Pupil Teacher Ratio, which is 60:1, does not permit transfer of the petitioner in consideration of provisions as contained under amended Rule 6(c).

Hence, writ petition stands dismissed.

If in future Pupil Teacher Ratio is improved, petitioner shall be at liberty to apply for transfer in accordance with law.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Saugata Bhattacharyya, J.)