

16 22.04.2025
rkd Ct.18

W.P.A. 7491 of 2025

Madhumita Ghosh

-vs-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Ms. Shreyeta Mitra,
Ms. Pritha Biswas

....for the petitioner.

Mr. Syed Nazmul Hossain

....for the State.

Mr. Ratul Biswas,
Mr. Kaushik Chowdhury

....for the WBBPE.

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

It is submitted on behalf of the petitioner that
an offline transfer application dated 16th March, 2025
was made primarily on the ground of distance in
between the present school of the petitioner and her
place of residence.

It is submitted on behalf of the petitioner that
petitioner joined the post of primary teacher on 19th
July, 2021 and an application for transfer was made
on 16th March, 2025.

Prayer of the petitioner is opposed by the
learned advocates representing the respondents on the
ground that petitioner joined the post of primary
teacher on 19th July, 2021 and on the date of making
application for transfer petitioner did not complete five
years' service as confirmed primary teacher.

Having considered the submissions made on behalf of the parties Court finds that amended Rule 4(b) of notification dated 13th September, 2021 provides that in case of single transfer a confirmed teacher has to complete minimum five years of continuous service which would enable the applicant teacher to be transferred from one school to another.

In the present case petitioner was appointed on 19th July, 2021 and transfer application was made on 16th March, 2025 which goes to show on the date of making application petitioner did not complete five years' service as a confirmed primary teacher.

Hence, the writ petition stands dismissed.

However, this order shall not preclude the petitioner to make an application for transfer in accordance with law after completing five years of continuous service as a confirmed primary teacher.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)