

12 22.04.2025
rkd Ct.18

W.P.A. 7486 of 2025

Anirban Sarkar

-vs-

The State of West Bengal & Ors.

Mr. Sudipta Dasgupta,
Mr. Sondwip Sutradhar

....for the petitioner.

Mr. Arindam Chattopadhyay

....for the DPSC.

Ms. Parna Roy Chgowdhury,
Mr Masikul Shekh

....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.

Petitioner by making an application dated 10th
March, 2025 has made a prayer for transfer from one
primary school to another in the same district since
the school where petitioner is presently working has
surplus teacher and on the ground of distance in
between the present school of the petitioner and his
place of residence.

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 9th 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 9th July, 2021 and transfer application was made on 10th 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.)