

09.06.2025
SI No.13
Court No.8
(SKG)

**MAT 496 of 2025
CAN 2 of 2025**

**Jaydev Mondal
-vs-
The State of West Bengal & Ors.**

Mr. Shuvro Prokash Lahiri,
Mr. Rajesh Naskar,
Ms. Indrani Roy,
Mr. Ankan Mondal,
..... for the Appellant.

Mr. Sourav Mitra,
....for the CSSC.

Mr. Naba Kumar Das,
Mr. Oindrila Chatterjee,
.... for the State.

1. The appellant is a single teacher of the subject Geography in a school in Purba Medinipur. Initially he filed an application for transfer on medical ground. However, the last application under consideration uploaded in Utsashree Portal on 31st August, 2022 was on distance ground.
2. The District Inspector of Schools (SE) Purba Medinipur filed a report before the learned Single Judge wherefrom it appears that the said respondent requested in the neighbouring school of the same block where the present school of the writ petitioner/ appellant is situated to forward the name of the Assistant teacher who can be engaged and

replaced in the said post, if required temporarily, after transfer of the writ petitioner till new incumbent joins the resultant vacancy. The report says that in spite of best efforts no willing teacher can be found.

3. Having regard to the fact that the petitioner would be otherwise eligible for transfer in terms of the notification dated 3rd January, 2022, it is imperative upon the authority concerned to take steps for filling up the resultant vacancy in the event the writ petitioner is transferred in accordance with law.
4. Keeping in mind the welfare of the student in the school and as it is the single teacher post, we grant time to the respondent authorities till February, 2026 to process the transfer application and find out a suitable teacher may be on a temporary basis till new incumbent joins in the resultant vacancy after the transfer is allowed.
5. The eligibility of the appellant for transfer on distance ground is not disputed.
6. The impugned order is modified to the aforesaid extent.

7. The appeal and the applications are disposed of.
8. However, there shall be no order as to costs.
9. The urgent Photostat copy of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Soumen Sen, J.)

(Smita Das De, J.)