

W.P.A. 8163 OF 2025

Piyali Chakraborty
Vs.
The State of West Bengal & Others

Mr. Rajesh Naskar, Adv.

...for Petitioner

Ms. Kalpita Paul, Adv.

...for the State

Mr. Sourav Mitra, Adv.

...for W.B.C.S.S.C.

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

Matter relates to transfer of the petitioner on the ground of distance in between the present school of the petitioner and her place of residence.

On perusing a document at page 96 of the writ petition, it appears that transfer application of the petitioner was sent back to the petitioner on 26th July, 2022 since petitioner is a single teacher in Mathematics in the school in question.

Grievance of the petitioner is if she is a single teacher in the subject in the school, in that event, District Inspector of Schools (S.E.), South 24 Parganas being respondent no.5 is required to make alternative arrangement in the school in question to facilitate transfer of the petitioner in terms of Government notification dated 3rd January, 2022.

Having considered the submissions made on behalf of the parties, it appears there is no dispute that

petitioner is a single teacher in the subject in the school in question. Therefore, respondent no.5 is required to take steps in terms of the Government notification dated 3rd January, 2022 to find out willing teacher from neighbouring school to facilitate transfer of the petitioner. Therefore, it is found that respondent authorities have wrongly sent back the transfer application to the petitioner.

Having considered the case made out on behalf of the petitioner, writ petition is disposed of directing respondent no.5 to make an endeavour to find out willing teacher from neighbouring school who can man the post of the petitioner till regular incumbent joins the resultant vacancy due to transfer of the petitioner. If willing teacher is found and respondent no.5 finds it a 'fit case' where petitioner can be transferred, necessary steps shall be taken by said respondent no.5 for transferring the petitioner, in accordance with law.

A communication dated 28th April, 2025 filed on behalf of the District Inspector of Schools (S.E.), South 24 Parganas is taken on record.

It is made clear that suspension of portal shall not be a ground to reject transfer application of the petitioner.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)