

22.05.2025
SI No.3
Court No.8
(gc)

**FMA 750 of 2025
CAN 1 of 2025**

**Nurtaj Begum
Vs.
The State of West Bengal & Ors.**

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

...for the Appellant.

Mr. Debnarayan Banerjee,
Mr. Bhakti Prasad Das

...for the State.

Mr. Ratul Biswas

...for the DPSC, Howrah.

Mr. Ratul Biswas,
Mr. Kaushik Chowdhury

...for the W.B.B.P.E.

1. The reason for not allowing the transfer on other ground appears to be that the petitioner is receiving house rent allowance for the purpose of her stay at her place of posting. The grievance of the writ petitioner was that her present school is 311 kilometers away from her residence and she has a child of 5 years. Her substantial issue appears to be that she is a surplus teacher of her present school.
2. Mr. Ratul Biswas, learned Counsel appearing on behalf of the DPSC, Howrah has assured that in the event the petitioner is a surplus teacher, the Howrah DPSC shall take appropriate steps for her transfer to any

school where there is shortage of teacher on the basis of her representation.

3. In directing the transfer, the Howrah DPSC shall take into consideration that she has a child of 5 years' old and a lenient consideration is desirable.
4. With the aforesaid observation, the appeal and the connected application are disposed of.
5. However, there shall be no order as to costs.
6. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties on compliance of all necessary formalities.

(Soumen Sen, J.)

(Smita Das De, J.)