

ML 242  
25.09.2025  
Ct. No. 18  
adeb

**WPA 10054 of 2024**

**Samir Kumar Biswas  
Vs.  
The State of West Bengal & Ors.**

Mr. Anjan Bhattacharya  
Ms. Seema Thakur

...for the petitioner

Ms. Koyeli Bhattacharyya  
Mr. Bibek Dutta

...for the WBBSE

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner in reference to the order dated 25<sup>th</sup> November, 2022 passed by the President, Ad-hoc Committee of West Bengal Board of Secondary Education has prayed for taking steps for transfer of the petitioner. Reliance is placed on the relevant part of the order dated 25<sup>th</sup> November, 2022 wherein President of the Board taking note of the submission made on behalf of members of managing committee, teaching and non teaching staffs and guardians of the school that resumption of duty of the petitioner as headmaster of the school would adversely affect the academic environment of the school, proposal was made by the President of the Board for

administrative transfer of the petitioner and same was forwarded to the Commissioner of School Education, West Bengal.

3. Board is represented by learned advocate.
4. It is true that Board is not an appropriate authority to decide transfer of a teaching staff of Government aided recognized school. In the present case proposal was made to the Commissioner of School Education for administrative transfer which Court finds, needs to be considered by the Commissioner being respondent no. 2.
5. Respondent no. 2 is directed to decide on the proposal for administrative transfer of the petitioner as contained in the order of the President of the Board dated 25<sup>th</sup> November, 2022 by 10 (ten) weeks from the date of communication of this order. The decision to be taken by the respondent no. 2 shall be communicated to the petitioner, school authority where petitioner is working by fortnight thereafter. Before taking decision on proposal for administrative transfer of the petitioner respondent no. 2 shall be at leave to hear the school authority where petitioner is working.
6. Writ petition stands disposed of.

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

**(Saugata Bhattacharyya, J.)**