

22.07.2025

WPA 13728 of 2025

**Smt. Tinku Rana
Vs.
The State of West Bengal & Ors.**

Mr. Apurba Krishna Das	 for the appellant
Mr. Gourav Das	
Ms. Saina Suni	 for the State
Mr. Ratul Biswas	
Mr. Kaushik Chowdhury	 for the WBBPE
Mr. B.P. Vaisya	
Mr. G. Das	 for the DPSC (South 24-Parganas)

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

Petitioner by making an application dated 20th
March, 2025 has made a prayer for transfer from one
primary school to another in a different 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 where her husband
resides at Jhargram.

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 1st
September, 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 1st September, 2021 and transfer application was made on 20th 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.

(Rajarshi Bharadwaj, J.)