

12.06.2025

Item No.ml.143

Crt.No.02

b.r.

(ASSIGNED)

WPA 15695 of 2024

Satyajit Debnath

-vs-

The State of West Bengal & Ors.

Mr. S. Chatterjee

Mr. D. Mondal

Mr. Kiran Sk.

Mr. D. Karim

..... for the petitioner.

Mr. Sunit Kumar Roy

.... For SSC.

Ms. Koyeli Bhattacharyya

Mr. Bibek Dutta

Ms. Keya Panja

.... For the WBBSE.

This is an assigned writ petition.

The petitioner is an **Assistant Teacher**. Several representations from **pages 89 to 96** to the writ petition would show that the petitioner has applied for transfer from one school to another for the reasons mentioned therein. Since the applications are not considered, this writ petition has been filed.

Mr. Sunit Kumar Roy, learned counsel appearing for the Central School Service Commission and Ms. Koyeli Bhattacharyya, learned counsel appearing for the West Bengal Board of Secondary Education jointly submit that the applications submitted by the petitioner

is not in accordance with law and as such the question of considering the same did not arise.

In view of the above, the petitioner shall be at liberty to apply through the prescribed statutory format seeking transfer first before the present school authority.

The school authority after receiving the same shall take steps on the same in accordance with law positively within a period of **three weeks** from the date of receiving such application.

After being satisfied with the application, the School Authority if thinks it fit, shall send the same before the jurisdictional District Inspector of Schools for taking necessary steps in accordance with law.

The jurisdictional District Inspector of Schools then take all necessary steps in accordance with law after receiving the application from the School Authority within a period of **three weeks** from the date of receiving the said application.

In the event, the medical report of the District Medical Authority comes in favour of the transfer application then the jurisdictional District Inspector after receiving the said report from the medical authority shall send it before the Central School Service Commission for taking steps in accordance with law. The appropriate District Medical Authority shall submit

its report positively within **two weeks** from receiving the application from the District Inspector.

The Central School Service Commission then shall take all necessary steps in accordance with law and the entire steps shall be taken and completed positively within a period of **four weeks** from the date of receiving the records from the office of the District Inspector.

It is made clear that this Court has not gone into the merits of the claim of the petitioner and the respective authorities shall be free to decide the transfer application on its own merit but strictly in accordance with law.

It is also made clear that this order shall not create any right or equity in favour of the petitioner in event the petitioner does not succeed to his claim before any of the authorities strictly in accordance with law.

In the event, the transfer application is rejected then the authority concerned who shall reject the same shall intimate the reasons for rejection to the petitioner positively within **two weeks** from such rejection.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition, **WPA 15695 of 2024** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied for,
be furnished expeditiously.

(Aniruddha Roy, J.)