

19.08.2025
Court No. 18
Item No. 22
(Suvendu)

WPA 15798 of 2025

Papiya Biswas
-Versus-

The State of West Bengal & Ors.

Mr. Shuvro Prokash Lahiri
Mr. Rajesh Naskar
Mr. Ankan Mondal
.....for the petitioner

Mr. Bhaskar Prasad Vaisya
Mr. Nilay Baran Mandal
.....for the State

Mr. Sourav Mitra
....for the WBCSSC

- 1) Affidavit of service filed on behalf of the petitioner is taken on record.
- 2) Petitioner made an application for transfer on Utsashree portal on 29th September, 2022 on the ground of distance in between present school of the petitioner and her place of residence. It is submitted that transfer application of the petitioner was forwarded by the concerned school authority to the District Inspector of Schools (SE), South 24 Parganas being respondent no. 5 but respondent no. 5 instead of taking steps to make alternative arrangement in the school of the petitioner to facilitate her transfer since petitioner was

found to be a single teacher in the subject in the school sent back transfer application to the school authority.

3) It is rightly pointed out by learned advocate representing petitioner that it is not the responsibility of the school authority to find out a teacher of neighbouring school for manning the post of petitioner in the event petitioner is transferred, rather respondent no. 5 is required to take necessary steps in terms of Government Order dated 3rd January, 2022.

4) West Bengal Central School Service Commission is represented by learned advocate who has also submitted that respondent no. 5 is required to take steps in terms of Government Order dated 3rd January, 2022.

5) Having considered the respective submissions made on behalf of the parties, writ petition stands disposed of directing authorities of Mahabatnagar Kailashpur Milan Siksha Sadan (HS), South 24 Parganas being respondent nos. 6 and 7 to forward transfer application of the petitioner to respondent no. 5 by seven days from the date of communication of this order in off-line mode. On receipt of transfer application, respondent no. 5 shall make endeavor to make an alternative

arrangement in the school of the petitioner by deputing a teacher of neighbouring school facilitating petitioner's transfer. In the event a teacher is deputed in the school of the petitioner against the resultant vacancy which is to be created due to transfer of the petitioner, petitioner shall be transferred immediately thereafter.

6) There shall be, however, no order as to costs.

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

(Saugata Bhattacharyya, J.)