

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

30 28.08.2025
rkd Ct.18
DM

W.P.A. 17242 of 2025

Tritayee Chowdhury

-vs-

The State of West Bengal & Ors.

Mr. Shuvro Prokash Lahiri,
Mr. Rajesh Naskar,
Mr. Ankan Mondal

....for the petitioner.

Mr. Saibal Acharyya,
Mr. Debabrata Kole

....for the State.

Mr. Kanak Kiran Bandhopadhyay

....WBCSSC.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Petitioner made an application for transfer on general ground (distance).
3. It is submitted that transfer application of the petitioner was not allowed ultimately by the West Bengal Central School Service Commission on 20th September, 2021 and through portal it was sent back to the concerned District Inspector of Schools (SE) since petitioner was found to be a single teacher in the subject in the school.
4. Petitioner questions steps taken by the West Bengal Central School Service Commission in sending her transfer application through portal on

20th September, 2021 to the concerned District Inspector of Schools (SE).

5. It is submitted that application for transfer was made on 17th August, 2021. Therefore, petitioner's application for transfer ought not to be rejected on the ground that petitioner is a single teacher in the subject in the school on 20th September, 2021 as on the date of preferring application Government notification dated 8th September, 2021 was not in existence. Petitioner prays for direction to transfer her based on transfer application made on 17th August, 2021.
6. Learned advocate representing the respondents have opposed this writ petition based on relevant provisions as contained in Government notification dated 8th September, 2021 as well as subsequent Government notification dated 3rd January, 2022.
7. It is submitted since petitioner is single teacher in the subject in the school unless alternative arrangement is made by deputing another teacher from neighbouring school petitioner ought not to be transferred.
8. Petitioner made application on portal on 17th August, 2021 but on processing transfer application it was forwarded to the West Bengal Central School Service Commission for taking final

decision on 9th September, 2021 whereas Government notification was issued on 8th September, 2021 making certain amendments to the West Bengal School Service Commission (General Transfer, Transfer On Special Grounds and Reallocation) Rules, 2015.

9. Rule 6(2)(c) provides that transfer application made under any other ground under Rule 4(e) can be considered provided it is not found that resultant vacancy of the school in particular subject becomes zero.
10. Since at the time of considering transfer application on 20th September, 2021 Government notification was already issued on 8th September, 2021 amending transfer Rules of 2015; on applying Rule 6(2)(c) as contained in said notification dated 8th September, 2021 transfer application was not allowed.
11. It needs to be taken into consideration that when transfer application of the petitioner was disallowed on 20th September, 2021 subsequent Government notification dated 3rd January, 2022 did not see light of the day. Therefore, it was not open to the Commission to give direction upon concerned State authorities to make an endeavour to find out a teacher from neighbouring school to be deputed in

the school of the petitioner in order to facilitate petitioner's transfer.

12. Moreover, it appears that decision was taken by the Commission far back on 20th September, 2021 whereas present writ petition has been filed after four years on 29th July, 2025 questioning decision of the Commission dated 20th September, 2021. There is no plausible explanation of delay of four years in approaching this Court.
13. In view of aforesaid discussion, no relief can be granted to the petitioner at this belated stage.
14. The writ petition stands dismissed.
15. However, there shall be no order as to costs.
16. Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)