

19-11-2025
Item No.22
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.25358 of 2025

Sanjay Datta

-vs-

The State of West Bengal & Ors.

Mr. S.P. Lahiri
Mr. Rajesh Naskar
Mr. Ankan Mondal ...for the petitioner

Mr. Sunit Kumar Roy ...for WBCSSC

Mr. Sayan Datta
Mr. Srikanta Paul ...for the State

1. It is alleged that the petitioner's application seeking transfer was returned by the head of the institution on December 6, 2021 on the ground that the petitioner is the single teacher in the subject.
2. The transfer rules thereafter stood amended by the State by a notification dated January 3, 2022 wherein the application for transfer in respect of the single subject teacher can also be processed.
3. As the rejection of the petitioner's application was made prior to the amendment of the transfer rules, accordingly, the instant writ petition is disposed of by directing the head of the concerned institution to reconsider the prayer of the petitioner seeking transfer strictly on the basis of the prevailing rules and a judgment delivered by this Court on July 31, 2025 passed in FMA No.995 of 2025 with IA No.CAN 1 of 2025 in the matter of Rupak Dhua – vs- The State of West Bengal & Ors. and to forward the application for transfer made by the petitioner

along with the other documents to the concerned DI of Schools at the earliest but positively within eight weeks from date.

4. The District Inspector of Schools (SE), Paschim Medinipur is directed to consider the petitioner's application for transfer and dispose of the same in accordance with law irrespective of the fact whether any alternative arrangement could be made or not. The resultant vacancy on the transfer of the petitioner shall be filled up in the manner as directed by the Hon'ble Division Bench in the matter of Rupak Dhua (supra).
5. The entire exercise shall be completed by the District Inspector of Schools preferably within eight weeks from the date of receiving all documents from the school.
6. If the prayer of the petitioner is allowed by the DI of Schools, then necessary consequential steps shall be taken without any further delay.
7. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
8. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

