

ML 258
20.01.2025
Ct. No. 18
adeb

W.P.A. 25164 of 2023

Bipasa Haldar
Vs.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
...for the Petitioner

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
...for the WBBSE

Mr. Shamil ul Bari
Mr. Sayan Dutta
..for the State

Mr. Sourav Mitra
..for the WBCSSC

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

Petitioner made application for transfer on Utsashree Portal on the ground of distance in between the present school of the petitioner and her place of residence. However, transfer application of the petitioner could not be considered by the respondent authorities since petitioner's transfer application was found to be beyond 10% of the existing teaching staff in the school of the petitioner. It is submitted on behalf of the parties that there were 29 teaching staff at the material point of time in the school of the petitioner out of which three teachers were transferred and petitioner did not come within the zone of consideration on applying

embargo relating to 10% existing teaching strength as contemplated under Rule 5(6) of the Transfer Rules of 2015. Nothing has been shown before this Court that after transfer of three teachers from the school of the petitioner new appointments are made.

Hence, no relief can be granted at this stage based on transfer application of the petitioner.

Writ petition stands dismissed.

However this order shall not preclude the petitioner to make application for transfer in accordance with law on augmentation of teaching strength in the school of the petitioner.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)