

M/L226
11.06.2025
Rohit
ct.no.18

WPA 27105 of 2023

**Margaret Hembrom
Versus
The State of West Bengal & Ors.**

Mr. Pradip Saren
Mr. Soumik Ghosh
Ms. Saheli Hembrom
...for the Petitioner

Mr. Jyotsna Roy Mukherjee
Ms. Srijani Mukherjee
.... For the State

Mr. Sourav Mitra
...for the CSSC

In terms of the previous order dated 23rd April, 2025 a report dated 10th June, 2025 is filed today which is prepared by the District Inspector of Schools (S.E.), Murshidabad being respondent no. 2 and same is taken on record.

From the report dated 10th June, 2025 it appears that transfer application is now lying before the respondent no. 2 but due to suspension of portal with effect from 29th of September, 2022 the said respondent no. 2 did not take steps.

It is already decided by this Court in other matters that right to transfer is a statutory right as

conferred upon the teachers which cannot be curtailed by suspension of portal.

The respondent no. 2 is directed to make an endeavour to find out willing teacher of neighbouring school who can man the post of the petitioner in the event, petitioner is transferred to other school till regular incumbent joins the resultant vacancy. Such effort shall be made by the respondent no. 2 in terms of Government notification dated 3rd January, 2022. In the event willing teacher is made available petitioner shall be transferred based on her transfer application.

Order dated 23rd April, 2025 requires correction. In the first line of the 2nd Page of the order dated 23rd April, 2025 subject Geography shall be read as Philosophy.

Department is directed to incorporate necessary correction.

Accordingly, the writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Saugata Bhattacharyya, J.)