

ML-481
24.11.2025
Ct. No.18
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 28856 of 2024

Sharmila Pandey
v.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
... For the petitioner

Mr. Jyoti Prakash Chatterjee
Mr. Hemant Kumar Das
... For the State

Mr. Sourav Mitra
... For the WBCSSC

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

Mr. Kanailal Samanta
... For the respondent no.5

1. The petitioner seeks transfer. Her earlier application for transfer stood rejected as the petitioner failed to come within the 10% bracket eligible for transfer.
2. The petitioner denies that she does not fall within the 10% bracket.
3. On a perusal of the report filed by the respondent no.5 school, it appears that there are total 24 sanctioned posts and one teacher has been transferred on medical ground and another teacher has been recommended for transfer. There

is still opportunity to recommend one more teacher for transfer if the 10% rule is applied.

4. As the application of the petitioner stood rejected in the year 2021, accordingly, there is no scope for reconsideration of the same at this stage.
5. In the event the petitioner is still interested for transfer, then it will be open for the petitioner to file a fresh application seeking transfer in the prescribed format.
6. If an application is filed, the same shall be considered by the head of the institution in accordance with law.
7. The impugned order rejecting the transfer stands set aside.
8. The writ petition stands disposed of.
9. The report filed on behalf of the respondent no.5 be retained with the records.
10. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.
11. Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Amrita Sinha, J.)