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**In The of High Court At Calcutta
Circuit Bench At Jalpaiguri
Special Jurisdiction**

**CPAN 38 of 2024
in
W.P.A. 2064 of 2023**

**Deepak Paswan
-versus
Ms. Balika Goley**

**Mr. Ujjal Ray,
Mr. Abdur Rahim.
...For the Petitioner.**

**Mr. Hirak Barman,
Ms. Bedashruti Bose.
...For the State.**

1. The order passed by the Commissioner of School Education on 13th January, 2025 has been placed before this Court.

2. It appears that the Commissioner has passed a detailed order rejecting the prayer of the petitioner.

3. The school in question where the petitioner is teaching has bare minimum students with practically zero attendance. The petitioner seeks transfer to a school where he can perform his duties.

4. The Commissioner of School Education admits that there are three teachers in the school. Only for the purpose of maintaining the formality as per G.O. No. 670-Edn(S) dated 4th September, 2019, the prayer of the petitioner seeking transfer has been rejected.

5. I am afraid that sitting in the contempt jurisdiction it may not be proper for the Court to enter

into the legality and the validity of the order passed by the Commissioner.

6. In view of the above, the contempt application stands disposed of by granting liberty to the petitioner to challenge the order passed by the Commissioner of School Education before the competent forum in accordance with law, if so advised.

7. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)