

WPA 1024 of 2026

Goutam Barai
Vs.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
Ms. Pritha Biswas
Ms. Upasana Sarkar
.... for the petitioner

Mr. Dipankar Dasgupta
.... for the State

Mr. Sunit Kumar Roy
.... for the SSC

Ms. Saswati Chatterjee
.... for the WBBSE

1. Let affidavit-of-service, as filed in Court, be kept on record.
2. In spite of service, none appears for the school authorities,
3. The petitioner is an Assistant Teacher in the Janakilal Siksha Sadan (H.S.), Purba Bardhaman. The petitioner has made an application on the ground of distance. The said application was rejected in 2022.
4. The rejection of an earlier application by the respondent no. 5 on the ground of single teacher issue, cannot be considered in this application as

this Hon'ble Court has held in Gokul Chandra Mallick vs. State of West Bengal & Ors. in MAT 1218 of 2024 and Rupak Dhua vs. State of West Bengal & Ors. in FMA 995 of 2025 that the single teacher issue or dealing teacher issue is contrary to a Notification of January 3, 2022.

5. The decision taken by the District Inspector of Schools, is prima facie faulty and not in accordance with the dictum of this Hon'ble Court. However, since a long period of time has lapsed and the surrounding facts and circumstances may have changed, it would be appropriate for the petitioner to file a fresh application for transfer on the selfsame ground with the school authorities by May 30, 2026, who shall immediately issue a "No Objection Certificate" if the petitioner is otherwise eligible and forward the same to the concerned District Inspector of Schools by June 30, 2026.
6. The respondent no. 5, the D.I. (S.E.) will deal with such application strictly and in line with the decisions in Gokul Chandra Mallick (supra) and Rupak Dhua (Supra) and take all consequential steps in accordance with law and irrespective of the fact whether local arrangement can be done or not.

7. Temporary suspension of 'Utsashree Portal' will not be an impediment for the concerned authority to consider the application for transfer of the petitioner. The same shall be considered in an offline mode.
8. With the aforestated directions, the writ petition is, thus, disposed of.
9. There shall, however, be no order as to costs.
10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)