

WPA 1255 of 2026

Mali Biswas
Vs.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Pritha Biswas
.... for the petitioner

Mr. Sourav Mitra
Mr. Abhijit Ghosh
.... for the State

Mr. Kunal Ganguly
.... for the respondent no. 3

Mr. Kanak Kiran Bandyopadhyay
.... for the WBCSSC

1. Let affidavit-of-service, as filed in Court, be kept on record.
2. In spite of service, none appears for the State authorities. Mr. Mitra, learned Advocate appearing along with Mr. Ghosh, learned Advocate, are present in Court and requested to take this matter for the State. Let their appearance be regularized.
3. The petitioner is aggrieved by the rejection of her transfer application on the ground of single subject teacher by the respondent no. 5. Such rejection was made in the year 2022 and has been challenged by way of this writ petition in 2026.

4. The surrounding facts and circumstances in the said school are bound to have changed over a period of four years.
5. The rejection of the District Inspector of Schools of the petitioner's application for transfer seems quite contrary to the dictum of this Hon'ble Court as enshrined in the order dated August 8, 2024.
6. This Hon'ble Court has repeatedly and over a period of time from 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 held that the single teacher issue or dealing teacher issue is contrary to a Notification of January 3, 2022 in terms of the Memorandum No. SE/S/Is-04/95 (Pt.-III).
7. The decision taken by the District Inspector of Schools is *prima facie* faulty and not in consonance 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, who shall immediately issue a "No Objection Certificate" and forward the same to the District Inspector of Schools by April 15, 2026.

8. District of School Inspector of Schools being the respondent no. 5, will deal with such application strictly on the basis of and in line with Gokul Chandra Mallick (supra) and Rupak Duah (supra) within a period of eight weeks from the date of forwarding the “No Objection Certificate” by the school to the respondent no. 5.
9. With the aforestated directions, the writ petition is, thus, disposed of.
10. There shall, however, be no order as to costs.
11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)