

22.04.2026
Sl. No. 56
Ct No. 24
SG

WPA 1682 of 2026

**Kuntala Bhattacharjee
Vs
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury,
Ms. Pritha Biswas.

...for the petitioner

Mr. Sunit Kr. Roy.

...for SSC

1. Affidavit-of-service, as filed, be kept with the record.
2. In spite of service, none appears for the State or the school authority.
3. The petitioner is aggrieved by the rejection of her transfer application on the ground of single subject teacher by the respondent no. 7. Such rejection was made in the year 2023 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 School 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 School 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 by April 30, 2026. The School shall immediately issue a "No Objection Certificate" and forward the same to the District Inspector of Schools by May 15, 2026, if the petitioner is found to be otherwise eligible.

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 disposed of. No order as to costs.

10. Urgent certified website copy of this order, if applied for, be made available to the petitioner upon compliance with the requisite formalities.

(Reetobroto Kumar Mitra, J.)