

26 **25.03.**
2026

Ct. No. 24

Ab

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE.

WPA 2906 of 2026

Tanusri Mukherjee
Vs.
The State of West Bengal and others.

Mr. Sakti Pada Jana,
Mr. Subhajyoti Das.

... for the petitioner.

Mr. Anjan Bhattacharya,
Ms. Anita Shaw,
Ms. Seema Thakur.

... for the respondent no. 9.

Mr. Sunit Kumar Roy.

... for the SSC.

1. The petitioner's application for transfer has been considered, pursuant to the order of November 17, 2025 passed by this Hon'ble Court.
2. Upon consideration, the school has rejected the application of the petitioner on January 23, 2026 on the ground that it does not have sufficient teachers in the Bengali language.
3. In view of the afore-stated, I direct the petitioner to file a fresh application for transfer by April 2, 2026. The school authorities will consider such application without raising the point of shortage of teachers or a single teacher, since the issue has been settled by this Hon'ble Court in the matter of Gokul Chandra Mallick vs. State of West Bengal and others in MAT 1218 of 2024 as well as in Rupak Dhua vs. State of

West Bengal in FMA 995 of 2025. This Hon'ble Court has unequivocally held in the afore-stated decisions that pursuant to the notification of January 3, 2022, single teacher issue cannot be an impediment or a ground to stall the transfer of a teacher of the school, if that person so desires.

4. The school authority and the respondent no. 9 are directed to consider the fresh application of the petitioner within a period of fifteen days from the date of receipt of such application and without insisting on such issue of shortage of teachers will allow the application and forward the same to the concerned District Inspector of Schools along with No Objection certificate.
5. The concerned District Inspector of Schools will consider the application in accordance with law. The District Inspector of Schools will also consider arranging a teacher in the subject of Bengali language by way of local arrangement. However, this arrangement or the lack of it will not be an impediment to consider and dispose of the application for transfer of the petitioner.
6. The suspension of 'Utsashree Portal' will not be an impediment for the concerned authorities to consider the application for transfer of the petitioner. The same shall be considered in an offline mode.

7. With the afore-stated directions, the writ petition is disposed of.
8. There shall, however, be no order as to costs.
9. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)