

WPA 3103 of 2026

Naina Bhattacharyya
Vs.
The State of West Bengal & Ors.

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

Mr. Tarun Kumar Ghosh
Mr. Debanjan Chatterjee
.... 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 on behalf of the school authorities.
3. The petitioner is an Assistant Teacher (General) in Economics at Saktinagar High School (H.S.), Nadia.
4. The petitioner has made an application for transfer on own seeking on the ground of distance.
5. The rejection of an earlier application by the concerned D.I., respondent no. 5 herein, on the ground of single teacher issue, cannot be raised

by the authorities 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 in terms of the Memorandum No. SE/S/IS-04/95(Pt. III).

6. 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 by April 30, 2026, who shall immediately consider and issue a 'NOC' and forward the same to the District Inspector of Schools by May 15, 2026.
7. The respondent no. 5 will deal with such application strictly and in line with the decisions in Gokul Chandra Mallick vs. State of West Bengal & Ors. and Rupak Dhua vs. State of West Bengal & Ors.(supra) and take all consequential steps in accordance with law irrespective of local arrangement done or not.

8. The 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.
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.)