WPA 3118 of 2025

Monisha Mondal

-vs-

19.11.2026 State of West Bengal & Ors.

sl.no.79

ct. 652

Mr. Shuvro Prokash Lahiri
Mr. A. Mondal
Ms. M. Singh Roop Roy
…for the petitioner

Mr. Kanak Kiran Bandyopadhyay(VC)
…for the WBCSSC

1. Affidavit of service filed by the petitioner is taken on record.

2. It appears that an application for transfer of the petitioner on medical grounds was filed by the petitioner on 18.05.2024. Since then the said application has been pending before the authority. By filing the instant writ petition, the petitioner has prayed for consideration and/or decision with respect to his application for transfer as above.

3. Mr. Bandyopadhyay, learned advocate appears through virtual mode for the respondent/School Service Commission. None appears for the State in spite of service.

4. Hence, this matter is taken up for consideration an order in absence of the State respondent.

5. The transfer application of the petitioner appears to be within the scope of the relevant Rules therefor. In

such circumstances, the respondent authority ought to have considered the application for transfer submitted Online within a reasonable time frame which it did not.

6. It is noted that the school in which the petitioner is engaged as the head teacher/T.I.C. had a student strength of 4 previously, at the time of his making the application, which has been reduced to zero at present.

7. In such circumstances, this Court finds no cogent or reasonable ground for which the respondent authority should not consider the petitioner's application for transfer, particularly when it is on medical grounds.

8. It however transpires that since after 2022 when the petitioner made her Online application for transfer on medical grounds, sufficient time has elapsed, which may have rendered the grounds of the petitioner either aggravated or subsided. Therefore, let it be directed that the petitioner should submit now a fresh application stating his grounds for transfer. Also that in view of mal-functioning or non-functioning of the said Online Portal, the Division Bench of this Court has permitted submission of manual applications for transfer, in physical form. Therefore, let the petitioner

submit his application afresh, manually in physical form, before the respondent no. 5.

9. Let the District Inspector of Schools take a decision in accordance with law with respect to the petitioner's application so filed and pass an appropriate order.

10. The exercise as above should be done by the respondent no. 5 within a period of two weeks from the date of receipt of application afresh by the petitioner.

11. Needless is to mention that if the petitioner is found eligible for grant of transfer on the grounds pleaded by him, necessary consequent orders shall be passed forthwith.

12. Let if further be mentioned that the petitioner's transfer by the respondent/DI as an interim arrangement, made during the interregnum, vide the letter dated 19.01.2024, shall not act as any impediment for the respondent authority to consider her prayer for transfer (offline), and issue necessary order, in accordance with law.

13. With the direction as above, the present writ petition is disposed of.

(Rai Chattopadhyay, J.)