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2026

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266312  
NANDY

(DO)

In the High Court at Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side

WPA/4036/2023

DEBASHIS MAJHI

Vs.

THE STATE OF WEST BENGAL & ORS.

Mr. Kanai Lal Samanta, Advocate  
.....for the Petitioner  
Mr. Sunit Kumar Roy, Advocate  
.....for the WBSSC  
Mr. Shibaji Kumar Das, Advocate  
Mr. Dipendu Sarkar, Advocate  
Ms. Deblina De, Advocate  
.....for the Respondent No. 5  
Mr. Arindam Chattopadhyay, Advocate  
Ms. Lipika Chatterjee, Advocate  
.....for the State

1. Affidavit of service, as filed be kept with the record.
2. In spite of service, there is no representation on behalf of the School Authorities.
3. The petitioner's application for transfer on the medical ground of his spouse has been rejected by the District Inspector of Schools sometime in 2022. The ostensible ground for rejection is that the petitioner was the single teacher in his subject.
4. In so far as medical ground is concerned, this cannot be an impediment and in any event, after the conclusive dictum of this Hon'ble Court in **Gokul Chandra Mallik Vs. The State of West Bengal & Ors.** (MAT 1218 of 2024) and **Rupak Dua Vs. The State of West Bengal & Ors.** (FMA 995 of 2025), this ground of single teacher is no longer available to the authorities to reject or refuse an application for transfer.
5. In view of the afore-stated, this ground of single teacher will not be an impediment for the petitioner to seek transfer.
6. However, since a long period of time has lapsed and there may be changes in the attending circumstances,

the petitioner is granted liberty to make a fresh application on the selfsame ground of spouse's medical to the School Authorities in an offline mode since the 'Utsasree Portal' is presently suspended.

7. The School Authority will consider the application of the petitioner and expedite the same for onward progression to facilitate the transfer of the petitioner.
8. With the afore-stated direction, the writ-petition is **disposed of**. No order as to costs.
9. Urgent Photostat Certified copy of this order, be given to the parties, if applied for, on priority basis.

**(Reetobroto Kumar Mitra, J.)**