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2026

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NANDY
(DO)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA/6196/2026

Bipradas Mondal
Vs.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury, Advocate
Ms. Pritha Biswas, Advocate
Ms. Upasana Sarkar, Advocate

..... for the Petitioner

Mr. Sunit Kumar Roy, Advocate

.....for the WBCSSC

Mr. Kunal Ganguly, Advocate

.....for the WBBSE

1. The affidavit of service as filed today is taken on record.
2. In spite of service, the School Authority is not represented.
3. The petitioner is an Assistant Teacher.
4. The petitioner has made an application for transfer on own seeking on the ground of distance.
5. The said application was rejected in 2022.
6. The rejection of an earlier application by the respondent no. 5 on the ground of single teacher issue, cannot be upheld presently, 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.
7. The decision taken by the District Inspector of Schools, is *prima facie* faulty and not in accordance 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 June 30, 2026, who shall immediately issue a No Objection Certificate and forward the same to the District Inspector of Schools by July 31, 2026.

8. The respondent no. 5 will deal with such application strictly and in line with the decisions in *Gokul Chandra Mallick (supra)* and *Rupak Dhua (supra)* and take all consequential steps in accordance with law and irrespective of the fact whether local arrangement can be done or not.
9. Temporary 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.
10. With the afore-stated directions, the writ petition is **disposed of**. There shall, however, be no order as to costs.
11. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)

