

Sl.29
13.05.2026
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**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 6638 of 2026

**Soumya Kanti De
-versus
The State of West Bengal & Ors.**

**Mr. Sudip Ghosh Chowdhury, Adv.,
Ms. Pritha Biswas, Adv.,
Ms. Upasana Sarkar. Adv.
... for the petitioner
Mr. Chandan Chakraborty
... for the State
Mr. Sunil Kumar Roy
... for the WBCSSC**

1. The affidavit of service 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 the application by the respondent no.4 on the ground of single teacher issue, cannot be upheld in any manner, 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 the Notification of January 3, 2022.
7. The decision taken by the Respondent no.4, is contrary to the dictum of this Hon'ble Court.

However, the decisions of this Hon'ble Court have been made subsequent to the order of rejection. Thus, the rejection on the date it was made on October 7, 2021 cannot be faulted.

8. 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 15, 2026.
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 these aforesaid directions, the writ petition is disposed of.
11. There shall, however, be no order as to costs.
12. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)