

AD-61
Ct No.24
22.04.2026
TN/AK

WPA 7640 of 2025

Simi Bhunia
Vs.
The State of West Bengal and others

Mr. Shuvro Prokash Lahiri,
Mr. Rajesh Naskar,
Mr. Ankan Mondal

....for the petitioner

Mr. Tousif Ahmed Khan,
Ms. Sucheta Banerjee

....for the State

Mr. Santanu Kumar Patra,
Ms. Supriya Dubey

....for the WBCSSC

1. Affidavit of service as filed, be kept on record. In spite of service, none appears for the school authorities.
2. The petitioner's application for transfer on the special ground-divorce is pending before the concerned District Inspector of Schools.
3. At the time of hearing, an intimation bearing Memo No. 174/Law/SE/NAD dated 5th May, 2025 has been handed over, which is kept on record.
4. It appears from the said aforestated memo that the concerned DI has held that the petitioner had not applied for transfer through proper channel, that is, through the school authorities and that the school does not have adequate number of teachers in the subject. It was further held that the petitioner is a

single teacher in Physical Science, on account whereof she cannot be transferred. The DI also went on to urge the issue of pupil-teacher ratio.

5. I have heard learned counsel for the parties and perused the records. Insofar as the first objection of the DI is concerned, it appears that the application had been made through the concerned proper channel in the prescribed format.
6. Insofar as the DI's objection to the single teacher and the pupil-teacher ratio is concerned, the same are squarely covered by the provisions contained in the Notification No. 707/SE/S/IS-04/95(Pt) dated 8th September, 2021 as specified in Rule 6(2)(e). The provisions of 6(2)(c) and (d) are dispensed with insofar as their applicability to any transfer sought on the grounds as mentioned in Rule 4(a) to (d). 4(c) thereof clearly includes a female incumbent facing serious problem in attending the school due to divorce or death of husband. The petitioner's application for transfer on the ground of divorce is squarely covered.
7. In view of the aforestated, the order dated 2nd April, 2025 is set aside.
8. The concerned DI is directed to revisit the transfer application of the petitioner keeping in mind the provisions of 6(2)(e) of the aforestated Rules.

9. Suspension of the “Utsashree Portal” will not be an impediment for the DI to consider the application of the petitioner in an off-line mode.
10. The entire process of revisiting the transfer application must be completed by May 31, 2026 and if found eligible, the same shall be forwarded to the Commission for onward progression of the matter by June 15, 2026.
11. With the aforestated direction, the writ petition bearing WPA 7640 of 2025 is disposed of.
12. There will be no order as to costs.
13. Certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Reetobroto Kumar Mitra, J.)