

13.05.2026

WPA 8794 of 2026

**Birendra Nath Halder
Vs.
The State of West Bengal & Ors.**

Mr. S.P. Lahiri
Mr. Rajesh Naskar
Mr. Ankar Mondal

... .. for petitioner

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey

... .. for the WBCSSC

1. The affidavit of service filed today is taken on record.
2. The petitioner is an Assistant Teacher in a school had applied for general transfer on the ground of distance, which was returned in 2022 on the issue that the petitioner being a single teacher in the subject.
3. The school authorities are directed to dispose of the said application, without taking the ground that the petitioner is a single teacher in his subject as the same has already been decided by this Hon'ble Court 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.
4. The issue of single teacher has been conclusively decided by this Hon'ble Court and cannot be a ground of rejection of the prayer for transfer.

5. However, since a long period of time has lapsed, the petitioner is directed to make a fresh application by May 31, 2026 to the school authorities, which will be considered and disposed of by the school authorities by June 30, 2026.
6. If found otherwise eligible, the school authorities will forward the application along with requisite No Objection Certificate and declaration to the concerned District Inspector of Schools (SE) within a period of two weeks from allowing the application.
7. The concerned D.I. will take all consequential steps in accordance with law as expeditiously as possible, in accordance with transfer Rules and Notification dated January 3, 2022, preferably within a period of four weeks from the date of receipt of the application from the school.
8. 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.
9. With these aforesaid directions, the writ petition is disposed of.
10. 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.)

