

24.06.2026
Sl. No. 62
Ct No. 24
SG

WPA 9398 of 2026

**Moushumi Paul
Vs.
The State of West Bengal & Ors.**

Mr. S.P. Lahiri,
Mr. R. Naskar,
Mr. A. Mondal.

.....for the Petitioner

Mr. Samrat Mukherji,
Ms. Mary Datta,

.....for the State

Dr. Sutanu Kr. Patra,
Mr. Bibaswan Patra.

...for WBCSSC

1. Affidavit-of-service, as filed today, is taken on record.
2. In spite of service, the school authority is not represented.
3. The petitioner's application for transfer was kept pending by the concerned authority, on account whereof the petitioner had approached this Hon'ble Court by way of a writ petition. The said writ petition was disposed of by an order dated November 21, 2025 directing the concerned school authority to deal with the application of the petitioner within a stipulated time and to take necessary steps in respect of the said transfer application. Pursuant thereto the transfer application of the petitioner was rejected on January

19, 2026 on the ground that the petitioner is the only teacher in her subject that is science and mathematics. It is this rejection of March 1, 2026 which has been assailed in the present writ petition.

4. The writ petitioner seeks to challenge the order on the ground that the single teacher is no longer a live issue nor it is *res integra* as the matter has been conclusively 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. Both the decisions have been made considering the notification No. 9-SE dated January 03, 2022.

5. It is clear and unequivocal that an application for transfer made by a person cannot be rejected on the ground that he is the single teacher in any subject. Thus, the rejection made by the concerned school authority on March 1, 2026 is completely dehors the notification and the dictum of this Hon'ble Court. The said order is thus set aside.

6. The petitioner's application seeking transfer will be forwarded by the school authorities along with NOC to the concerned DI by July 15, 2026 who shall deal with it as expeditiously as possible and definitely within a period of four weeks from the date of receipt of the said application.

7. With the aforestated directions, the writ petition is disposed of.
8. There shall be no order as to costs.
9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Reetobroto Kumar Mitra, J.)