

20th Jan., 2026
Item no.M/L 188
Court No. 18
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 14253 of 2022**

In the matter of :

Jayasri De

.... Petitioner

VS.

The State of West Bengal & Ors.

....Respondents

For the Petitioner:

Mr. Ujjal Ray
Mr. Sk. Abdur Rahim

....Advocates

For the State:

Ms. Neelam Singh

....Advocate

For the WBCSSC:

Mr. Sourav Mitra

....Advocate

1. Affidavit of service filed in Court today is taken on record.
2. The petitioner's application seeking transfer was forwarded by the head of the institution to the District Inspector of Schools on 20th May, 2022 with the remark that the petitioner is a single subject teacher. She does not fall within the ten percent strength of the teachers eligible for transfer. Her application is not backed by medical certificate.
3. The District Inspector of Schools returned the application of the petitioner to the school relying on the remarks made by the school authority.
4. The petitioner is aggrieved by the same.

5. It has been submitted that the District Inspector of Schools ought to have acted in terms of the notification published by the School Education Department on 3rd January, 2022 dealing with transfer of single subject teachers.
6. Upon hearing the submissions made on behalf of the petitioner and on perusal of the remarks made by the head of the institution, which was accepted by the District Inspector of Schools, it appears that the rejection of the petitioner's application for transfer was made nearly four years back. By this time there may have been a change in the staff strength of the school.
7. The instant writ petition, accordingly, stands disposed of with the observation that, it will be open for the petitioner to file fresh application offline in the prescribed format disclosing the ground for transfer.
8. In the event such an application is made, then the same shall be considered by the head of the institution in accordance with the prevailing transfer rules. If the petitioner is found to be a single subject teacher, then the law laid down by the Hon'ble Division Bench on 31st July, 2025 in ***FMA 995 of 2025 + IA No.: CAN 1 of 2025 (Rupak Dhua Vs. The State of West Bengal & Ors.)*** shall be considered prior to dealing with the petitioner's application for transfer.
9. In *Rupak Dhua (supra)* the Court took note of the notification dated 3rd January, 2022 amending the West Bengal School Service Commission (General Transfer, Transfer on Special Grounds and Reallocation) Rules, 2015.
10. The Court was of the opinion that the aforesaid notification states that it would be an obligation on the part of the District Inspector of

Schools (S.E.) to take urgent steps in a time bound manner to search for a teacher on the same subject from nearby schools and make local arrangement so that the teacher of the other school attends the school wherefrom the single teacher had applied for transfer. The petitioner's claim for transfer cannot be kept in abeyance till a willing teacher is found.

11. It is made clear that suspension of Utsashree portal will not stand in way of the respondent authority to consider the transfer application of the petitioner.
12. The writ petition stands disposed of.
13. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)