

M/L 201
21.01.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 16818 of 2022

Krishna Ray

Vs.

The State of West Bengal & Ors.

Mr. Shuvro Prakash Lahiri

Ms. Ankita Dey

Mr. Rajesh Naskar

Mr. Ankan Mandal

...for the Petitioner.

Mr. Suman Dey

...for the State.

Mr. Sourav Mitra

...for the WBCSSC.

Ms. Koyeli Bhattacharyya

Mr. Bibek Dutta

...for the WBBSE.

Mr. Suman Chakraborty

...for the Respondent No.5.

1. Leave is granted to the learned advocate on record for the petitioner to add the District Inspector of Schools (Secondary Education), Hooghly as party respondent in the present writ petition.

2. The formality of serving copy of the writ petition upon the added respondent stands dispensed with as the State is already represented by the learned advocate.

3. The petitioner's application seeking transfer was returned to the petitioner by the head of the institution in December 2021 with the remark that she is a single subject teacher. The petitioner made further application in January 2022 but the same is pending consideration at the end of the head of the institution.

4. Without entering into the merit of the application of the petitioner, the instant writ petition stands disposed of by directing the head of the institution to consider the prayer of the petitioner strictly in accordance with the prevailing transfer rules and law laid down by the Hon'ble Division Bench of this Court July 31, 2025 in FMA No.995 of 2025 with CAN No.1 of 2025 (Rupak Dhua –vs- The State of West Bengal & Ors.), the Hon'ble Division Bench was pleased to observe that the claim for transfer cannot be kept in abeyance till a willing teacher is found. The Court was pleased to direct the District Inspector of Schools to take expeditious steps for filling up the resultant vacancy that might arise after the candidate's transfer is allowed.

5. The instant writ petition stands disposed of by directing the District Inspector of Schools (SE), Hooghly to take necessary steps to dispose of the application for transfer made by the petitioner in accordance with law at the earliest but positively within a period of eight weeks from the date of communication of this order.

6. The fate of the petitioner's application shall be made known to the petitioner immediately thereafter.

7. If the application of the petitioner is allowed, then necessary consequential steps shall be taken without any further delay.

8. Suspension of the Utsashree portal will not stand in the way of the authorities from taking steps in terms of the order passed hereinabove.

9. The impugned order of rejection for transfer stands set aside.

10. The writ petition stands disposed of.

11. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

(Amrita Sinha, J.)