

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 19294 of 2023

Arpita Debnath
-versus
The State of West Bengal & Ors.

Mr. Shuvro Prokash Lahiri
Mr. Ankan Mondal
... For the petitioner

Mr. Suman Dey
Mr. Amrita Lal Chatterjee
... For the State

Mr. Sourav Mitra
... For the WBCSSC

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Mr. Manas Bhattacharyya
... For the WBBSE

1. The petitioner's application seeking transfer was rejected by the West Bengal Central Service Commission on the ground of that she was a single-subject teacher.
2. The petitioner challenged the rejection by filing a writ petition, being WPA 8627 of 2022 which stood disposed of on 2nd August, 2022 by setting aside the rejection and granting liberty to the petitioner to make fresh application.
3. The petitioner, accordingly, applied afresh and her application was forwarded by the Head of the Institution to the District Inspector of Schools (Secondary Education), South 24-Parganas with the

observation that she is the single teacher of Chemistry.

4. The petitioner presses for transfer and submits that she is still a single teacher of the school.

5. The issue as to whether a single subject teacher can be transferred or not has been decided by the Hon'ble Division Bench of this Court on 31st July, 2025 in the matter of ***Rupak Dhua Vs. The State of West Bengal & Ors. [FMA 995 of 2025 with IA No.: CAN 1 of 2025]*** wherein 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.

6. 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 (SE) 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. 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.

7. The instant writ petition stands disposed of directing the DI of Schools to take a decision in the matter in line with the law laid down by the Court mentioned herein above at the earliest but positively within a period of eight weeks from the date of communication of this order.

8. The ground of single-subject teacher cannot be relied upon by the authority to reject the prayer of the petitioner.

9. The fate of the petitioner's application shall be made known to the petitioner.

10. Suspension of the Utsashree portal shall not stand in the way of the respondents in taking steps in terms of the order passed hereinabove.

11. The writ petition stands disposed of.

12. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

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.)