

21st Jan., 2026
Item no.M/L 250
Court No. 18
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 19970 of 2022**

In the matter of :
Debabrata Mandal *.... Petitioner*
VS.
The State of West Bengal & Ors. *....Respondents*

For the Petitioner:
Mr. Sudip Ghosh Chowdhury
Ms. Shreyta Mitra
Ms. Pritha Biswas *....Advocates*

For the WBCSSC:
Mr. Sourav Mitra *....Advocate*

For the WBBSE:
Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Mr. Manas Bhattacharyya *....Advocates*

For the State:
Mr. Shamim-ul-Bari *....Advocate*

1. The prayer of the petitioner seeking transfer stood rejected in December, 2021 with the remark that the pupil-teacher ratio was not fulfilled. Prior thereto the petitioner’s prayer for transfer stood rejected on the ground that the petitioner was a single post teacher. The petitioner again applied for transfer in February, 2022 and the said application is pending consideration before the head of the institution.
2. Reliance has been placed on the judgment delivered by an Hon’ble Division Bench of this Court on a similar issue on August 8, 2024 in MAT No. 1218 of 2024 with CAN 1 of 2024 (Gokul Chandra Mallick Vs. The State of West Bengal & Ors.).

3. The Court was of the opinion that the notification relied upon by the authority for not disposing of the application for transfer of the petitioner casts a duty on the District Inspector of Schools to make arrangement within a time-bound manner. The court directed the District Inspector of Schools to consider the application for transfer.
4. By a further order dated July 31, 2025 in FMA No. 995 of 2025 with CAN 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. As it appears that the application of the petitioner is pending before the head of the institution for a considerable period of time, accordingly, the head of the institution is directed to take a decision on the petitioner's application in accordance with the prevailing transfer rules at the earliest but positively within a period of eight weeks from the date of communication of this order. If the prayer of the petitioner is allowed, then the head of the institution shall forward the application of the petitioner to the District Inspector of Schools.
6. The District Inspector of Schools (SE), Purba Medinipur being the respondent no. 4 herein shall consider the petitioner's application for transfer and dispose of the same in accordance with law irrespective of the fact whether any alternative arrangement could be made or not. The resultant vacancy on the transfer of the petitioner shall be filled up in the manner as directed by the Hon'ble Division Bench in the matter of Rupak Dhua (supra) at the earliest but positively within two months from the date of receiving documents from the school despite suspension of the Utsashree portal.
7. The fate of the petitioner's application shall be made known to the petitioner.
8. Suspension of the Utsashree portal shall not stand in the way of the respondents in taking steps in terms of the order passed hereinabove.
9. The writ petition stands disposed of.

10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)