

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 19689 of 2023

Md. Yeamin Hoque
VS.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
Ms. Debolina Chakraborty
... For the petitioner

Ms. Jyotsna Roy Mukherjee
Ms. Srijani Mukherjee
... For the State

Mr. Kanak Kiran Bandopadhyay
... For the WBCSSC

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

1. The petitioner's application seeking transfer stood rejected by the District Inspector of Schools (Secondary Education), Malda on 2nd August, 2022 on the ground that the petitioner was ineligible for transfer on account of not being within the ten percent limit of the total teachers' strength eligible for transfer.
2. The petitioner presses for transfer.
3. It appears that more than three years have elapsed from the date the application of the petitioner seeking transfer stood disallowed by the District Inspector of Schools. There may have been change in the staff strength of the school in the meantime.
4. In view of the above, the instant writ petition stands disposed of with the observation

that it will be open for the petitioner to make fresh offline application seeking transfer in the prescribed format disclosing ground for the same.

5. In the event such an application is made, the same shall be considered by the head of the institution in accordance with law.

6. Steps shall be taken in the matter at the earliest but positively within a period of eight weeks from the date of receipt of the application from the petitioner.

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

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

9. Suspension of the Utsashree portal will not stand in the way of the respondents to consider the application for transfer made by the petitioner.

10. The writ petition stands disposed of.

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

(Amrita Sinha, J.)