

S/L 4
19.01.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 19698 of 2023

Janani Murmu

Vs.

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury

Ms. Shreyeta Mitra

Ms. Pritha Biswas

...for the Petitioner.

Mr. Pinaki Dhole

Ms. Indrani Nandi

...for the State.

Mr. Sourav Mitra

...for the WBCSSC.

Ms. Koyeli Bhattacharyya

Mr. Bibek Dutta

...for the WBBSE.

1. Affidavit of service filed on behalf of the petitioner in Court today be kept with the records.

2. The petitioner's application seeking transfer stood returned by the head of the institution on August 27, 2021 with the remark '*exceeds ten percent and she is the only teacher of Sanskrit*'.

3. Learned advocate for the petitioner submits that by this time, several new teachers have joined the school.

4. It appears that due to passage of time, the staff strength of the school may have changed. The bar of transfer of single subject teacher has been adjudicated by the Hon'ble Division Bench of this Court on 31st July, 2025 in **FMA 995 of 2025 + IA No.: CAN 1 of 2025 Rupak Dhua Vs. The State of West Bengal & Ors.** 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.

5. 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.

6. In view of the above, the school authority and the District Inspector of Schools (S.E.), Purba Bardhaman is directed to take steps to consider the petitioner's application seeking transfer in accordance with the present Rules and in line with the order passed by the Hon'ble Division Bench in the matter of *Rupak Dhua* (supra) at the earliest, but positively within a period of eight weeks from the date of communication of this order.

7. If the prayer of the petitioner is allowed, then necessary consequential steps in accordance with law shall be taken by the authority. The fate of the application for transfer shall be communicated to the petitioner.

8. 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.)