

04.02.2026
Item no.96 ML
Subrata
Bhattacharyya

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA No.20925 of 2022**

In the matter of :

Soma Marik

.... Petitioner

VS.

The State of West Bengal & Ors.

....Respondents

For the Petitioner:

Mr. Ujjal Ray

.Advocates

For the WBCSSC:

Mr. Sourav Mitra

....Advocates

For the school:

Mr. Uttam Kumar Bhattacharya

1. Affidavit-of-service, filed in Court today, is taken on record.
2. The application of the petitioner for transfer on self-medical ground stood rejected by the District Inspector of Schools on the ground that the petitioner was a single subject teacher.
3. The petitioner presses for transfer.
4. As per the notification dated 8th September, 2021, application for transfer made on medical ground is exempted from the restriction of transfer in respect of single subject teacher. It appears that the School had applied wrong Rule to reject the prayer for transfer of the petitioner.

5. It appears that considerable period of time has lapsed from the day the application of the petitioner for transfer stood rejected. Staff strength may have changed in the meantime.
6. Accordingly, the instant writ petition stands disposed of with the observation that it will be open for the petitioner to make fresh application offline seeking transfer in the prescribed format disclosing ground for the same.
7. In the event such an application is made, the same shall be considered by the head of the institution in accordance with the prevailing transfer rules.
8. A decision shall be taken at the earliest but positively within a period of eight weeks from the date of filing of the application.
9. The ground of single-subject teacher cannot be relied upon by the authority to reject the prayer of the petitioner.
10. The fate of the petitioner's application shall be made known to the petitioner.
11. Suspension of the Utsashree portal shall not stand in the way of the respondents in taking steps in terms of the order passed hereinabove.
12. The impugned rejection order stands set aside.
13. Certified copy of this order, if applied for, be furnished after completion of all requisite formalities.

(Amrita Sinha, J.)