

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 21833 of 2024

Sudip Sinha Roy

v.

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury

Ms. Shreyeta Mitra

... For the petitioner

Mr. Asish Kumar Guha

Mr. Naren Ghosh Dastidar

... For the State

Mr. Sunit Kumar Roy

... WBCSSC

Ms. Koyeli Bhattacharyya

Mr. Bibek Dutta

... For the WBBSE

1. Report by the District Inspector of Schools (Secondary Education), Murshidabad filed in Court today is taken on record.

2. It appears therefrom that the petitioner's application seeking transfer could not be acceded to as the petitioner is the only teacher teaching History in the Higher Secondary section of the school.

3. It appears from the report that the school where the petitioner is serving has four Assistant Teachers in History in classes IX and X but two of the teachers are going to be terminated as they are candidates of 2016 SLST recruitment process.

4. The District Inspector of Schools has referred to the Memo No.66(25)-CSE/2021 dated 22nd

September, 2021 where there is provision for recommending transfer of single subject teacher.

5. The School Managing Committee is accordingly directed to forward the request for transfer made by the petitioner to the District Inspector of Schools (Secondary Education), Murshidabad who shall make alternative arrangement for taking care of the post if the petitioner's application for transfer is allowed.

6. The authority cannot withhold the transfer of the petitioner indefinitely if alternate arrangement cannot be made.

7. District Inspector of Schools (Secondary Education), Murshidabad is directed to take a decision in the matter at the earliest but positively within a period of twelve weeks from the date of forwarding of all documents by the School Managing Committee.

8. The impugned rejection dated 20th November, 2021 stands set aside.

9. The writ petition stands disposed of.

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

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

(Amrita Sinha, J.)