

WPA 28193 of 2023

Arnab Mondal
Vs.
The State of West Bengal & Ors.

Mr. Shuvro Prakash Lahiri
Mr. Rajesh Naskar
Mr. Ankan Mondal
.... for the petitioner

Mr. Sunit Kumar Roy
.... for the SSC

Ms. Koyeli Bhattacharya
Mr. Bibek Dutta
.... for the WBBSE

1. The affidavit of service filed today is taken on record.
2. In spite of service, the School Authority is not represented.
3. The petitioner is an Assistant Teacher in a school and had applied for general transfer on the ground of distance, which was returned in 2022 on the issue that the petitioner is a single teacher in the subject.
4. The school authorities are directed to dispose of the said application, without taking the ground that the petitioner is a single teacher in his subject as the same has already been decided by the Hon'ble Court as held in Gokul Chandra Mallick vs. State of West Bengal & Ors, in MAT 1218 of 2024 and Rupak Dhua vs. State of West Bengal & Ors., in FMA 995 of 2025.

5. The issue of single teacher has not conclusively decided by this Hon'ble Court and cannot be a ground of rejection of the prayer for transfer.

6. However, long period of time has lapsed. The petitioner is directed to make a fresh application by May 30, 2026 to the school authorities, which will be considered and disposed of by the school authorities by June 30, 2026.

7. If found eligible, the school authorities will forward the application along with requisite No Objection Certificate and declaration to the concerned District Inspector of Schools (S.E.) within a period of two weeks from allowing the application.

8. The Commission will take all consequential steps in accordance with law as expeditiously as possible, in accordance with transfer Rules and Notification dated January 3, 2022, preferably within a period of four weeks from the date of receipt of the application from the school.

9. Temporary suspension of 'Utsashree Portal' will not be an impediment for the concerned authority to consider the application for transfer of the petitioner. The same shall be considered in an offline mode.

10. With these aforesaid directions, the writ petition is disposed of.

11. There shall, however, be no order as to costs.

12. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)