

17.03.2026

Ct. No. 5
Sl. No.16
akd

In The High Court at Calcutta
Circuit Bench at Jalpaiguri

W. P. A. 349 of 2026

[Manabendra Saha -Vs- The State of West Bengal & Ors.]

Mr. Sudip Ghosh Chowdhury
Mr. Soumyajit Laskar
... ... for the petitioner

Mr. Sunit Kumar Roy
... for respondent no.4
[West Bengal Central School Service Commission]

Ms. Bedashruti Bose
Mr. Anirban Banerjee
... ... for the State

1. Affidavit-of-service filed in court today is taken on record.
2. The petitioner has preferred the present writ petition challenging the impugned rejection order issued by the school authority on 13.12.2021 in respect of the transfer application of the petitioner dated 28.11.2021 in the UTSASHREE portal. The petitioner's application for transfer stood rejected by the school authority on the ground that the petitioner does not fall within the 10% of teachers eligible for transfer.
3. Learned Advocate for the petitioner relies upon a judgment dated 06.01.2026 passed by a coordinate Bench of this court in WPA 311 of 2022 (*Shampa Das vs. The State of West Bengal & Ors.*), wherein under similar circumstances the coordinate Bench of this Court granted liberty to the petitioner therein to apply afresh for transfer.

4. Following the said decision and treating the same as a precedent, this Court is inclined to entertain the present writ petition.

5. It appears that a long time has elapsed since the date of rejection of the petitioner's prayer. The staff strength of the school may have changed during this period of approximately five years.

6. In view of the above, the instant writ petition stands disposed of with the observation that it shall be open to the petitioner to apply afresh seeking transfer. In the event such an application for transfer is made by the petitioner, the same shall be considered by the head of the institution in accordance with law.

7. If the application of the petitioner stands allowed, necessary consequential steps shall be taken by the authorities without any further delay.

8. With the aforesaid observations, the present writ petition is disposed of.

9. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

10. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)