

22.04.2026
Ct. No.24
Sl. No.43
akd

W. P. A. 1097 of 2026

[Smarajit Karmokar -Vs- The State of West Bengal & Ors.]

Mr. Ujjal Ray

... .. for the petitioner

Mr. Sourav Mitra

... .. for respondent nos.2 & 3
[West Bengal Central School Service Commission]

1. Affidavit-of-service filed in Court today is taken on record.
2. In spite of service, none appears on behalf of the school authority as well as the State-respondents.
3. The instant writ petition is the result of an order dated June 6, 2024 passed by the respondent no.5, rejecting the application for transfer made by the petitioner on the ground that the petitioner is the single teacher in his subject. It is this order of June 6, 2024, which has been challenged by way of the present writ petition.
4. The District Inspector of Schools (SE), Birbhum in the impugned order has not considered the decision of this Hon'ble Court rendered in *Gokul Chandra Mallick vs. State of West Bengal & Ors. (M.A.T. 1218 of 2024)* and *Rupak Dhua vs. State of West Bengal & Ors. (F.M.A. 995 of 2025)*. The respondent no.5 seems completely oblivious to the repeated directions of this Hon'ble Court.
5. This Hon'ble Court has repeatedly and over a period of time from *Gokul Chandra Mallick vs. State of West Bengal & Ors. (M.A.T. 1218 of 2024)* and *Rupak Dhua vs. State of West Bengal & Ors. (F.M.A. 995 of 2025)* held that the single teacher

issue or dealing teacher issue is contrary to a notification of January 3, 2022 in terms of the Memorandum No. SE/S/Is-04/95 (Pt.-III).

6. Rejection of the application dated March 19, 2024 by the District Inspector of Schools (SE), Birbhum on June 6, 2024 is set aside as it cannot be sustained in law.

7. The respondent no. 5 is directed to revisit the application of the petitioner seeking transfer, strictly in line with *Gokul Chandra Mallick* (Supra) and *Rupak Duah* (Supra), without insisting on the ground that the petitioner is a single teacher in his subject. This application of the petitioner ought to be disposed of by the respondent no.5 by May 15, 2026. If found eligible, the concerned District Inspector of Schools (SE) will forward the same to the West Bengal Central School Service Commission by May 30, 2026.

8. The suspension of the '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.

9. With the afore-stated directions, the writ petition is disposed of.

10. There shall be no order as to costs.

11. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)