

15.12.2020
Item No.24
Daily List
Court No.25
Krishnendu

W.P.A. No. 15934 of 2019
(VIA VIDEO CONFERENCE)

In re: Sarada Mukherjee
- Versus-
The State of West Bengal & Ors

Mr. Samiran Mandal
Mr. Abhinaba Dan

For the Petitioner

Affidavit of service filed by the petitioner be kept on record. No one appears today on behalf of the State respondents.

Mr. Mandal, learned advocate appearing for the petitioner submits that the petitioner submitted an application for general transfer on special ground in terms of the West Bengal School Service Commission (General Transfer, Transfer on Special Ground and Reallocation) Rules, 2015 (in short, the said Rules of 2015) but 'No Objection Certificate', as required under the said Rules of 2015, was not issued by the authorities of Kukrahati High School (H.S.) (in short, the said School). Aggrieved thereby, the petitioner submitted a representation on 21st July, 2017 followed by reminders dated 13th October, 2018 and 10th June, 2019 but till date, the same had not been considered.

In view thereof, I am of the opinion that no useful purpose will be served by keeping the writ petition pending and the same is, accordingly, disposed of directing the Administrator of the said School to consider the petitioner's last representation dated 10th June, 2019 and to take a decision as regards issuance of the 'No Objection Certificate' in favour of the petitioner, in accordance with law and to communicate such decision to the petitioner within a period of four weeks from the date of communication of this order along with a copy of the writ petition.

Needless to observe in the event the petitioner's claim deserves acceptance, all necessary follow up steps shall be taken by the other respondents forthwith.

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

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

(Tapabrata Chakraborty, J.)