

S/L 14  
10.03.2021  
Court No.26  
SD

**WPA 1997 of 2021  
(Via Video Conference)**

Krishna Dewan  
Vs.  
The State of West Bengal & Ors.

*Mr. Sankar Banerjee*

*...for the Petitioner.*

*Mr. Susanta Pal*  
*Mr. Ananda Dulal Sarkar*

*...for the State.*

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the inaction on the part of the respondent authorities in considering her 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.

Mr. Susanta Pal, counsel appearing on behalf of the State submits that the application has been made to the wrong authority and is required to be made to the Commissioner of School Education.

I note that the Commissioner of School Education has not been made a party in this writ petition. Accordingly, petitioner is directed to add the Commissioner of School Education as a party to this writ petition and serve a copy of the amended writ petition to the added respondent.

Mr. Pal submits that direction may be given upon the petitioner to make an application before the Commissioner of School Education and upon receipt of such application, the Commissioner of School Education should take a decision in this matter.

In view of the above submissions, I direct the petitioner to make an application before the Commissioner of School Education and thereafter upon receipt of the same, Commissioner of School Education is directed to pass a reasoned order.

With these observations, this writ petition stands disposed of.

Since, no affidavit-in-opposition has been called for the allegations made in the writ petition are deemed to have not been admitted by the respondents.

There will be no order as to costs.

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

**(Shekhar B. Saraf, J.)**