

10.02.2022
SL No. 70
Court No. 24
(P.M)

WPA 957 of 2022

Susmita Mallik Sil
Vs
The State of West Bengal & Ors.
(Via Video Conference)

Mr. Subhrangsu Panda,
Ms. Ina Bhattacharyya
... for the petitioner

Mr. Prosenjit Mukherjee,
Ms. Madhurima Sarkar
... for Madrasah Service
Commission

The petitioner is an Assistant Teacher of a Madrasah. She seeks transfer.

The grievance of the petitioner is that the place where she seeks transfer does not have enough Madrasahs. The Madrasah which is near to her residence does not have a vacancy.

The petitioner has gathered information that there is a vacancy in Kulgaria Girls' High Madrasah and the said Madrasah reported the vacancy to the Madrasah Service Commission. The Madrasah Service Commission has, however, not included the name of Kulgaria Girls' High Madrasah in the vacancy list.

The petitioner prays for a direction upon the Madrasah Service Commission to include the name of Kulgaria Girls' High Madrasah in the list of vacancies where teacher may be appointed on transfer.

I am of the opinion that the prayer for including the Madrasah at the instance of the petitioner cannot be entertained. If the Madrasah has forwarded the vacancy report to the Madrasah Service Commission, then it is for the Commission to take appropriate steps. If the same is not done, the concerned Madrasah may be the 'aggrieved person' at whose instance the writ petition may be maintainable. But certainly the same prayer cannot be entertained from the petitioner.

In view of the above, no relief can be granted to the petitioner in the instant case.

The writ petition fails and is hereby dismissed.

Affidavit of service filed in Court today is taken on record.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)