

21.06.2022.
Court No.13
Item No. 101
ap

W.P.A. No. 4317 of 2022

**Bidyut Mondal
Versus
The State of West Bengal & Ors.**

Mr. Subhrangsu Panda,
Ms. Ina Bhattacharya,
Ms. Mithu Singha Mahapatra.

...For the petitioner.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey.

..For the WBCSSC.

Mr. Bhaskar Prasad Vaisya,
Mr. Ranjan Saha.

....For the State.

Affidavit-of-service filed in Court today be taken
on record.

The petitioner's application for transfer
forwarded by the School has been returned by the
District Inspector of Schools (SE), Hooghly on the
ground that the petitioner's rank in the preferred
School is low.

It is not clear as to in which of the Schools
chosen by the petitioner, he is lower in rank. The
petitioner has given a choice of six Schools.

As a special case and in exercise of
extraordinary power conferred under Article 226 of the
Constitution of India and in the context of the
statements made in paragraph 5 of the writ petition,
the petitioner's case shall be considered as a special
case and without precedent either in any of the six

chosen Schools or in any nearby such Schools subject to availability of vacancy.

The School Service Commission shall take a decision in the matter within a period of three weeks from the date of communication of a copy of this order and communicate the said decision to the petitioner.

At the risk of repetition, it is stated that this order is passed as a very unique and special facts and circumstances of the case and shall not be cited as a precedence. This Court is consciously not referring the matter to the Commissioner of School Education, West Bengal.

For the aforesaid purpose, the petitioner shall visit the Office of the Secretary, School Service Commission at 3:00 P.M. on 23rd June, 2022.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)