

18-08-2022
ct no. 13
Sl. 218
sp

WPA 15345 of 2021

Barnali Das

-Versus-

The State of West Bengal & Ors.

**Mr. Shamim ul Bari,
Ms. Molly Saha**

.....for the petitioner

**Mr. Pinaki Dhole,
Mr. Avishek Prasad**

....for the State

**Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey**

...for the WBCSSC

The school is not represented.

A resolution dated March 9, 2021 of the M.C. of the school, approving 'NOC' to the petitioner, has been produced by Mr. Samim ul Bari, learned counsel appearing for the petitioner and the same is taken on record.

The objection of the Commissioner of the School Education that the 'NOC' has not been approved by the M.C. of the school, therefore cannot be sustained.

In that view of the matter, the petitioner's application for transfer shall be now forwarded by the Commissioner of School Education to the

School Service Commission, immediately upon receipt of a copy of this order.

The School Service Commission shall, therefore, within a period of one week take a decision on the choice, made by the petitioner. All further steps thereafter shall be complied with in terms of the 2015 Rules.

For the aforesaid purpose, the petitioner shall sit with the Chairman of the School Service Commission on **August 23, 2022** at **2 p.m.**, to communicate any new choice of nearby schools subject to their availability and the Chairman may issue appropriate orders in accordance with law.

The schools originally opted for by the petitioner shall however be given first preference.

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

There shall be no order as to costs.

The resolution and the 'NOC' are taken on record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)