

Court No. 17

WPA 20736 of 2021

28.03.2022

Kanika Sannyasi

(AD 42)

Vs.

The State of West Bengal & Ors.

(S. Banerjee)

Mr. Subhas Chandra Atha
Ms. Payel Paramanik

... for the petitioner

Ms. Chama Mukherjee
Mr. Siraj Gooptu

... for the State

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey

... for the SSC

Mr. Santanu Kumar Roy
Mr. Soumitra Das

... for the respondent nos. 7 and 8

Let the affidavit of service filed in court today be kept with the record.

This is a case of transfer of the petitioner from one school to another. She filed the application for transfer on 7th August, 2021 which reached the School Service Commission and the Commission has returned it back on the ground that no-objection certificate from competent authority is required, which shows that the no-objection certificate was not there in the Utsashree portal.

However, the petitioner has drawn my attention to page 21 of the writ application, being Annexure P-4 which is the no-objection certificate given by the

headmistress of the said school, namely Kotulpur Saroj Basini Balika Vidyalaya (H.S.). It appears that this no-objection certificate dated 25th August, 2021 was not uploaded in the portal by the school and that is why the Commission wrote as mentioned above.

I direct the school authority to upload the no-objection certificate immediately, if it was not done, the application for transfer cannot be re-send to the Commission by the District Inspector of Schools and the Commission will consider the transfer of the petitioner if she is otherwise eligible. The whole process is to be done by one month from the date of Communication of this order to the DI and to the Commission.

The DI, being the respondent no. 6 herein, is directed to take appropriate steps after giving an opportunity of hearing to the petitioner and to the school for sending the transfer application back again to the Commission.

With the observation and direction above, this writ application is disposed of.

(Abhijit Gangopadhyay, J.)