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01.04.
2022
Ct. No.17

WPA 21189 of 2021

Dulali Pain
Vs.
The State of W. B. & Ors.

Mr. Ekramul Bari
Mr. S. S. Mondal
Ms. Tanuja Basak
Sk. Imtiaj Uddin
.....For the Petitioner
Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
.....For the State
Dr. S. K. Patra
Ms. Supriya Dubey
.....For the SSC
Mr. Shehnaz Tareq Mina
.....For the W.B.B.S.E.

The petitioner is ill lucked. She was recommended for transfer to one school on 04.12.2020, namely, West Sanabandh JS Vidyamandir but when the petitioner went to join there, she was intimated that the vacancy had been filled up much earlier. The concerned District Inspector of Schools found out another vacancy, namely, Mankhamar High School and the petitioner went to join there but as luck would have it, the said vacancy is also filled up.

Despite having one transfer order in December, 2020 the petitioner has not got the real transfer till date. Now the petitioner has come with the name of another school in the District of Bankura, namely,

Bankura Sibsankar Uccha Balika Vidyalaya which has been pleaded in paragraph 9 of the writ application and prays before this court that she may be recommended to the school as the post is lying vacant there.

I cannot direct the School Service Commission who is a party here to place the petitioner in that school but I direct the School Service Commission to show the petitioner the name of other school including this one in a limited counselling within a period of two weeks from the date of communication of this order and on the basis of her selection the recommendation would be made. However, one interim order is required to be passed in this respect so that the third time ill luck does not strike the petitioner. So, I direct all the authorities including the School Service Commission and West Bengal Board of Secondary Education not to recommend and issue appointment letter to any person in the post of Bengali (Hons./PG) in Bankura Sibsankar Uccha Balika Vidyalaya for four weeks from date and to communicate this order.

If the petitioner is recommended in the school after her selection in the limited counselling to be held by the School Service Commission, then this interim order of not to fill up the post will lose its effect. The whole exercise by the School Service

Commission is to be completed by two weeks from the date of communication of this order. The District Inspector of Schools should take information from the school whether there is really a vacancy in the post of assistant teacher in Bengali (Hons./PG) in Bankura Sibsankar Uccha Balika Vidyalaya and if such vacancy is there, then it will report it immediately by seven days from date to the School Service Commission.

With the above direction this writ application is disposed of.

Learned advocate for the petitioner is directed to communicate this order immediately to the District Inspector of Schools, the concerned school and also to the West Bengal Central School Service Commission.

(Abhijit Gangopadhyay, J.)

