

WPA 24097 of 2019

Babita Kumari
Vs.
The State of West Bengal & Ors.

Mr. Ekramul Bari,
Ms. Tanuja Basak,
Sk. Intiaj Uddin.

... for the petitioner

Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee.

... for the State

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey.

... for the SSC

Ms. Koyeli Bhattacharyya.

... for the Board

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

The petitioner was recommended to the post of Assistant Teacher for the subject Physical Science in Bolpur High School in District of Birbhum on or about 12th September, 2018 but that school did not allow her to join because it was not a English Medium School, where the petitioner could join. Thereafter, reports were called for this Court from the District Inspector of Schools, Birbhum who intimated the Chairman of the West Bengal Central School Service Commission that there was no

vacancy in the post of Assistant Teacher in Physical Science (Graduate) in English medium in the district of Birbhum. Thereafter, this Court directed the Commissioner of School Education to see whether there is any such post in any of the English Medium School in the State of West Bengal where the petitioner could be accommodated as because she was running from pillar to post from 2018 for getting a vacancy in a school where she can join. Ultimately, once school named Andrew's High School (HS) has been found where there is the vacancy which occurred on 10th March, 2020 for the post Physical Science the said school is an English Medium School.

The Deputy Director of School Education has intimated this school to the Secretary of the West Bengal Central School Service Commission on 22nd March, 2022 and then again by another letter dated 23rd March, 2022 intimating the Commission that the vacancy was reported to the Commission.

Hence, I direct the School Service Commission to issue a fresh

recommendation letter immediately cancelling the earlier recommendation letter dated 12th September, 2018 (at page 27 of the writ application) to the petitioner and I also direct the West Bengal Board of Secondary Education to issue appointment letter to the petitioner.

The entire exercise is to be completed by fifteen days from the date of communication of this order by the petitioner.

I direct the District Inspector of Schools to consider whether notional benefit can be given to the petitioner as because the petitioner is suffering for last four years for no fault on her part. Therefore, she should not be deprived of the notional benefit.

The West Bengal Board of Secondary Education has not been made a party in this writ application. I direct the petitioner to add West Bengal Board of Secondary Education a party in the course of the day and to serve a copy of the writ application upon Ms. Koyeli Bhattacharyya who usually appears for the Board. Engagement of Ms. Bhattacharyya is to be regularized by the Board.

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

(Abhijit Gangopadhyay, J.)