

11. 03. 2022

BP
Sl. 442
Court No. 17

WPA 24173 of 2019
With
CAN 1 of 2021
With
CAN 2 of 2021

Kaberi Sarkar
Vs.
The State of West Bengal & Ors.

Mr. Samim Ahammed
Ms. A. Khatun
..for the petitioner.

Mr. Ekramul Bari
Mr. Syed Mansur Ali
Sk. Imtiaj Uddin
..for the School Authority.

Mr. Supriyo Chattopadhyay
Ms. Iti Dutta
..for the State.

Ms. Koyeli Bhattacharyya
..for the Board.

Mr. Rudra Jyoti Bhattacharjee
Ms. Debjani Ghosal
..for the added respondent.

I direct the petitioner to add the Chairman, West Bengal Central School Service Commission a party as respondent in course of the day.

Pursuant to the order passed by this court on 3rd February, 2022 giving certain directions to the authorities including the police authority, I find that the police authority with the help of others have done

excellent job. Today, everybody including Mr. Supriyo Chattopadhyay, learned advocate for the State, who was given responsibility in this matter, has stated that all disputes have been settled amongst the parties. He has filed a report of the police along with the Annexures A and B which contain in detail which were inventorised.

I am told by the learned advocate for the added respondent that criminal cases against them has also been withdrawn by the petitioner. This court is extremely happy because of the good gesture shown by all. Only minor prayer that has been made today by the petitioner that her service book is to be prepared by the President of the School and Mr. Ekramul Bari, learned advocate for the School Authority, on instruction, has stated that it is no problem for them and it will be done.

I take this as gentleman's words before this court.

Learned advocate for the petitioner has submitted that her application for transfer, which she has made through Utsoshree portal is required to be considered by the appropriate authority and the school should give no objection to the petitioner immediately and to upload it in the portal. There was a very tensed situation in the school when the petitioner was working as the Headmistress (still she is the Headmistress but not attending school for different

unsavory unnecessary situation for all) and there were some criminal cases and extreme animosity among the parties. I request the authority to transfer the petitioner to some other school as Headmistress nearer to her residence. The petitioner has almost ten years service period before her retirement and considering this, the Chairman of the West Bengal Central School Service Commission is directed to take appropriate decision for transfer of the petitioner to another school.

Considering the observation made above and considering the situation and to bring peace, a full force of police contingent had to be deployed in the school for the purpose of making inventory. This court expects that the service book would be completed by three months from date and the transfer would be made by one month from date.

The almirah which is now under lock and key and the custodian is the President and as the inventory is complete, the President shall have the liberty to open the almirah and use the papers and documents kept therein as and when required for the purpose of the school.

I request the Chairman of the School Service Commission to give an opportunity of hearing to the petitioner and to the representative of the school for passing the order of transfer in any school including

the school as has been already selected by the petitioner through Utsoshree portal. This exercise is to be done within two weeks from the date of communication of this order.

With the above observation, this writ application along with the connected applications are disposed of.

(Abhijit Gangopadhyay, J.)

