

Court No. 22
02.5.2023
(Item No. 32)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side
W.P.A. 10134 of 2023

Chinmoyee Kundu
VS
The State of West Bengal & Ors.

Ms. Sudipa Biswas
... for the petitioner
Ms. Chama Mookherjee
Ms. Sujata Ghosh
... for the State

Affidavit of service filed in Court today, is kept on record.

The petitioner claimed to be a **Group – D staff** at present working at **Kushadwip Makhanlal Vidyamandir, District - Bankura**. She sought for transfer. Final recommendation was made on **November 12, 2021** for transfer by the respondent No. 2 earmarking a particular School **Annexure P-2** at **page – 16** to the writ petition. The order of general transfer was also issued by the respondent No. 4 dated **November 16, 2021** at **page 18** to the writ petition. The petitioner went to join when the earmarked School for transfer by its communication dated **November 17, 2021, Annexure P-3** at **page 19** informed that there was no vacancy available.

Ms. Sudipa Biswas, learned advocate for the petitioner drawing attention of this Court to **Annexure P-4** at **pages 21 and 22** to the writ petition submitted

that, immediately representation was made before the West Bengal Board of Secondary Education and the respondent No. 2 for arranging her transfer in an alternative School. Such representations did not receive any attention of the authorities.

Ms. Sujata Ghosh, learned advocate appeared for respondent Nos. 1 and 5.

The rest of the respondents were not represented.

Considering the above submissions and considering the materials on record, to sub-serve justice, the respondent No. 5 is directed to search out for a suitable alternative School for the petitioner in terms of the petitioner's choice mentioned in her representation dated **November 22, 2021** at **page 22** to the writ petition and to inform the same to the respondent No. 3 positively within a period of four weeks from the date of communication of this order.

After receiving such communication from the respondent No. 5, the respondent No. 3 shall do the needful in accordance with law and send its recommendation to the respondent No. 4 positively within a period of three weeks from the date of receipt of information from the respondent No. 5.

The respondent No. 4 then shall issue necessary order for transfer in favour of the petitioner positively within a period of two weeks from the date

of the communication received from the respondent No. 3 without any further delay.

The petitioner shall serve a copy of the writ petition along with a copy of today's order upon the respondent Nos. 3, 4 and 5 to expedite the steps as directed herein.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations this writ petition being **WPA 10134 of 2023** stands disposed of.

There shall, however, be no order as to costs.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Aniruddha Roy, J.)