

M/L 50
09.10.2023
Court. No. 29
Suwayan

WPA 14605 of 2021

Aparna Das
Vs.
The State of West Bengal & Ors.

Mr. Pingal Bhattacharyya
Mr. Rajdeep Sinha

...for the petitioner.

1. Mr. Bhattacharyya, learned Advocate for the writ petitioner is present.
2. None appears on behalf of the State as well as on behalf of the private respondent No. 20 and the other private respondents.
3. Attention of this Court is drawn to the previous order dated 04.05.2023 as passed by this Court wherein it has been made clear that on the next of hearing no accommodation would be considered.
4. Since, no accommodation has been prayed for on behalf of the respondents and/or since the respondents are absent today in spite of service, this Court is inclined to take up the hearing of the instant writ petition in absence of the respondents.
5. Heard Mr. Bhattacharyya, learned Advocate for the writ petitioner at length.
6. Perused the writ petition as filed by the writ petitioner.
7. From the materials as placed before this Court it reveals that by Memo No. WBBSE/App./MT/o2889 dated 08.02.2021 the President of West Bengal Board of Secondary Education ('WBBSE' in sort) has passed an

order of mutual transfer against recommendation of Commissioner of School Education whereby the present petitioner has been transferred to Harina High School vis-à-vis the private respondent No. 20 has been transferred to Kalmapukuria B S C High School HS. It is the grievance of the writ petitioner that after passing of the aforesaid order of mutual transfer she had prayed for her release before the Headmaster, Kalmapukuria B S C High School HS but she was not released from the said school and ultimately on being learnt that the private respondent No. 20 is not willing to take release from Harina High School, the present petitioner on 15.02.2021 made another representation with the President of WBBSE but of no effect.

8. In view of the facts and circumstances, this Court in exercise of its plenary power directs the President of WBBSE to treat the instant writ petition along with its annexures as a representation of the writ petitioner and after giving an opportunity of being heard to the present writ petitioner as well as the private respondent No. 20 and/or their learned Advocates shall dispose of such representation by passing a reasoned order within a period of **two months** from the date of communication of this order along with the copy of the instant writ petition together with its annexures and shall communicate its decision to the writ petitioner, private respondent No. 20 as well as the other authorities as he deems fit and proper within a period of **fortnight** from the date of passing of the reasoned order by him.

9. It is made clear that such communication is/are to be made to all the parties either by registered post with A/D or through email, if email account is provided with the President of the WBBSE.

11. With the aforementioned observation the instant writ petition being WPA 14605 of 2021 is disposed of.

12. Parties to act on the server copies of this order.

13. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)