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Ct. 18
06.10.2023

W.P.A. 17619 of 2023

**Moumita Mallick
Vs.
The State of West Bengal & Ors.**

Mr. Sarwar Jahan,
Mr. Sudipta Maiti ... For the petitioner.

Mr. Bhaskar Prasad Vaisya, AGP,
Ms. Sayantanee Bhattacharjee ... For the State.

Mr. Sunit Kumar Ray ... For the WBCSSC.

Ms. Koyeli Bhattacharyya ... For the WBBSE.

Mr. Sunit Kumar Ray the learned advocate for the West Bengal Central School Service Commission submits that in compliance with the order dated August 03, 2023 the Commission has issued a fresh recommendation for general transfer of the petitioner to Bhetiara Milani Vidyapith, Village: Bhetiara, District: Bankura. He files copy of the said recommendation bearing Memo No. – 933/L-7562/CSSC/ESTT/2023 dated September 07, 2023. Let it be kept with the record.

Mr. Jahan, learned advocate for the petitioner submits that pursuant to the said recommendation his client has joined in the said school.

Mr. Jahan further submits that the petitioner after the release order being issued by her erstwhile school on July 20, 2023 neither could resume her duty in the said school nor could join the school where she was

recommended for transfer earlier, however, she resumed her duty in her erstwhile school on the strength of the order passed by this Court on August 03, 2023, he prays for a clarification that the absence of the petitioner from her duty for the period from July 21, 2023 to August 04, 2023 may not be treated as break in her service.

I find substance in the said prayer of Mr. Jahan it is therefore, clarified that the failure of the petitioner to perform her duty for the aforesaid period shall not be construed as the break in her service.

W.P.A. 17619 of 2023 is disposed of with the above observations without any order as to costs.

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

(Biswajit Basu, J.)