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28.03.
2023
Ct. No.22

WPA 19810 of 2022

**Moumita Mallick
Vs
The State of W. B. & Ors.**

**Mr. Sarwar Jahan
Ms. Sudipta Maiti
Mr. Maidul Islam Kayal
Mr. S. N. Thander
Mr. Asif Mehdi
.....For the Petitioner**

**Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
....For the State**

**Dr. S. K. Patra
Ms. Supriya Dubey
.....For the WBCSSC**

Affidavit of service filed in court today is taken on record.

The petitioner claimed to be an assistant teacher presently at Kuilapal S. S. High School, District Purulia for the subject English.

The petitioner sought for transfer on medical ground. The recommendation for transfer was made by the respondent no.3 dated **June 10, 2022, Annexure P-9 at page 70 to the writ petition.** The relevant transfer order was issued by the respondent no.4 on **June 13, 2022 at page 72 to the writ petition** recommending the petitioner to transfer at Bishnupur Parimaldebi Girls' High School.

Mr. Sarwar Jahan, learned counsel appearing for the petitioner submitted that when the petitioner went to join at the transferred school, the school authority had informed by its communication dated **June 13, 2022, Annexure P-10 at page 73 to the writ petition** that there was no vacancy for the same subject. The petitioner then applied for re-recommendation through the Utsashree Portal, **Annexure P-11 at page 74 to the writ petition.**

Ms. Supriya Dubey, learned counsel appearing for the respondent no.3 submitted that the School Service Commission had already taken note of the said re-recommendation for transfer.

In view of the above, the Secretary of the respondent no.3 is directed to search out a suitable vacancy for the petitioner at the possible nearby place where the petitioner was originally recommended for transfer and issue the fresh transfer recommendation in favour of the petitioner possibly within a period of six weeks from the date of communication of this order.

The appropriate authorities shall act upon the said recommendation to be issued by the Secretary of the respondent no.3 to give effect thereto.

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

On the above terms this writ petition being
WPA 19180 of 2022 stands disposed of without any
order as to costs.

(Aniruddha Roy, J.)