

AD-09
Ct No.01
Jalpaiguri
02.02.2023
TN

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

WPA No. 3414 of 2022

Dipanjana Roy
Vs.
The State of West Bengal and others

Mr. Ujjal Roy,
Mr. Sk. Abdur Rahim

...for the petitioner

Mr. Subir Kumar Saha,
Mr. Momenur Rahman

....for the State

Mr. Bikramaditya Ghosh

....for the SSC

Learned counsel for the petitioner contends that the petitioner is entitled to be transferred to a school of her choice.

Learned counsel appearing for the School Service Commission, on instructions, submits that the petitioner shall be transferred to one of the schools as per the second and third choice of the petitioner, as initially disclosed. However, the transfer to the first-choice school is not possible in view of another candidate coming above the petitioner in the preference list with regard to the said school.

Learned counsel for the petitioner places reliance on Annexure P-5 of the writ petition and submits that the present status of the person appearing above the petitioner in the preference list is that his recommendation has been forwarded to HOI. As such, it is not sure whether such person will be appointed in the vacant post in the first choice school of the petitioner.

Be that as it may, on instruction, learned counsel for the petitioner contends that the petitioner, in the circumstances, agrees to be transferred to the second-choice school, which is the Rajganj Bandar High School, Girls. Thus, the purpose of justice would be sub-served if the petitioner is transferred to the said school.

In view of the above observations, WPA No. 3414 of 2022 is disposed of by directing the respondent-authorities to take immediate steps for transfer of the petitioner to her second-option school, that is, the Rajganj Bandar High School, Girls.

There will be no order as to costs.

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

(Sabyasachi Bhattacharyya, J.)