

W.P.A. 4891 of 2023

**Anupama Mandal
Vs.
The State of West Bengal & Ors.**

Mr. Sankar Prasad Dalapati
Mr. Tamal Taru Panda
...for the petitioner
Mr. Bhaskar Prasad Vaisya
Mr. Ranjan Saha
...for the State

Dr. Sutanu Kumar Patra
Ms. Debalina Chakraborty
...for the WBCSSC

Ms. Saswati Chatterjee
...for the West Bengal Board of
Secondary Education

Report in the form of affidavit has been filed today on behalf of the West Bengal Central School Service Commission and the same is taken on record.

On perusal of the report it appears that in terms of original transfer application of the petitioner three schools were preferred where petitioner could not be transferred in view of the reasons indicated in paragraph 4(d) of the report. Consequently petitioner was recommended for transfer to Poddar Nagar Girls High School, Kolkata where petitioner could not join since the school does not have any student and no teacher is there. Subsequently, petitioner made application for re-recommendation vide e-mail letter dated 28th September, 2022 preferring two other schools for her transfer namely

Mukul Bose Memorial Institution and Deshbandhu Balika Vidyalaya. In addition thereto in reference to memo dated 15th June, 2023 issued by the District Inspector of Schools (SE) South 24 Parganas statements have been made in the report that petitioner can also be transferred to one of the two schools namely Sankijahan High School or Kachuberia High School subject to availability of vacancy.

In view of the stand taken by the Commission as appearing from the report filed today the Chairman, West Bengal Central School Service Commission being respondent no. 3 is directed to hear the petitioner by fortnight from the date of communication of this order and considering the preference to be made by the petitioner before the Chairman for her transfer and subject to availability of vacancy, re-recommendation shall be made in favour of the petitioner for transferring her to another school.

Chairman shall also be at leave to disclose other available vacancies to the petitioner while taking decision to re-recommend the petitioner for her transfer. The Chairman shall pass a reasoned order for re-recommending the petitioner. Aforesaid exercise shall be completed by the Chairman by 4 (four) weeks from the date of communication of this order.

It is made clear that suspension of Utsashree Portal shall not be ground for not re-recommending the petitioner to transfer her to another school.

Writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)