

24.01.2024
(S/L- 9)
Ct.-18
(P. Jana)

W.P.A. 14440 of 2022

Soumita Sasmal
-Vs-
The State of West Bengal & Ors.

Mr. Panchanan Hajra,
Ms. Mallika Manna.For the petitioner.

Ms. Koyeli Bhattacharyya.
.....For the WBBSE.

Mr. Sourav Mitra.
.....For the WBCSSC.

Mr. Biswabrata Basu Mallick, Ld. A.G.P.,
...For the State.

In compliance with the direction passed by this Court on January 16, 2024, Mr. Arka Datta, the Sub-Inspector of Schools and the Administrator of Parchabbisipur High School, P.O. & P.S. : Khanakul, District: Hooghly, the respondent no. 10 herein, is personally present before this Court, his further personal appearance is dispensed with.

The petitioner is an Assistant Teacher at Parchabbisipur High School, P.O. & P.S. : Khanakul, District: Hooghly in the subject “Bio-Science”. She applied for general transfer through ‘Utsashree Portal’ and was recommended for transfer by the West Bengal Central School Service Commission to Madhurpur High School, District: Hooghly.

The West Bengal Board of Secondary Education accordingly issued transfer order but the administrator of the school since did not issue the release order, the petitioner could not join in the new school.

The refusal of the administrator to issue release order is wholly without jurisdiction. However, this Court is

informed that on September 21, 2023 such release order has been issued.

However, in the meantime, the life of the said transfer order issued by the Board since has expired, the petitioner is unable to join the new school, to obviate the said difficulty the Board is directed to issue a fresh transfer order.

Mr. Mitra, learned counsel for the Commission, submits that the vacancy in which the petitioner was recommended for transfer still exists.

The petitioner shall approach the Board tomorrow to get the fresh transfer order and shall thereafter free to join in the new school within the time to be stipulated in the said transfer order.

The reports filed by the Commission, the respondent nos. 3 and 4 herein and the respondent no. 8 herein, respectively be kept with the record.

WPA 14440 of 2022 is thus **disposed of** without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *Website* of this Court.

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

(Biswajit Basu, J.)