

08 09.09.2024
rkd Ct.18

W.P.A. 18564 of 2022

Mithu Mitra

-vs-

The State of West Bengal & Ors.

Mr. Ujjal Ray,
Mr. Atreya Chakraborty

....for the petitioner.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey

....for the WBCSSC.

In terms of the order dated 6th August, 2024 a report has been filed on behalf of the Commission today affirmed on 3rd September, 2024 and the same is taken on record.

Copy of the said report is made over to the learned advocate representing the petitioner.

From the averments made in paragraphs 6 & 7 of the said report, it appears that petitioner applied for general transfer on the ground of distance and three schools were preferred, namely, Garifa Girls High School, Bhatpara Amarkrishna Pathsala (HS), and Haringhata Sarajubala Balika Vidyalaya .

It is further stated in the said report that the rank of the petitioner against vacancy of Assistant Teacher in Geography was 5th in Garifa Girls High School and three candidates out of four

who were above the petitioner applied on self medical ground. Therefore, as per norms those candidates were required to give preference over the petitioner.

In Bhatpara Amarkrishna Pathsala (HS) there were two vacancies against which Soma Roy and Ranjita De were recommended since they applied on self medical ground and such recommendation was made on 5th May, 2022. Therefore, petitioner could not be recommended for transfer in the said school.

In Haringhata Sarajubala Balika Vidyalaya one Swagata Sikdar Roy who applied on self medical ground was recommended on 15th March, 2022. Therefore, petitioner could not be recommended for transfer in the said school.

It is further specifically stated in paragraph 7 of the report that in Garifa Girls High School no vacancy is there to accommodate the petitioner on transfer based on a letter forwarded by the head of the institution which is at page 6 of the said report.

Having considered the stand taken by the West Bengal Central School Service Commission it appears that vacancies in three different schools which were preferred by the petitioner while making application for transfer are not available,

relief as sought for by presenting this writ petition cannot be granted.

Accordingly, the writ petition stands dismissed.

However, this order shall not preclude the petitioner to apply afresh in accordance with law for transfer.

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.)