

ML 14
02.09.2024
Ct. No. 18
adeb

W.P.A. 21131 of 2024

**Dibakar Ghosh
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
...for the petitioner

Mr. Sunit Kr. Roy
...for the SSC

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
...for the WBBSE

Ms. Sima Adhikari
Mr. Gourav Banerjee
...for the State

Affidavit-of-service filed on behalf of the petitioner
is taken on record.

Petitioner prays for re-recommending him to another school since based on recommendation memo dated 30th June, 2022 which was issued by the Secretary, West Bengal Central School Service Commission, though the West Bengal Board of Secondary Education through its Secretary issued transfer order dated 4th July, 2022 but the petitioner could not join the transferred post. In support of such submission reliance is placed on a document at page 29 of the writ petition wherefrom it appears that the school where petitioner was recommended for transfer, the authority of the said school stated that the post is not lying vacant to accommodate the petitioner.

After failure on the part of the petitioner to join the transferred post due to non availability of vacancy petitioner made application for re-recommendation on Utsashree Portal on 4th July, 2022 but till date the same has not been considered.

State-respondents, West Bengal Central School Service Commission and the West Bengal Board of Secondary Education are represented by learned advocates who have jointly submitted that perhaps due to suspension of Utsashree Portal contemporaneous decision could not be taken on the prayer of the petitioner made on the Portal for re-recommendation. However, on behalf of the Commission it has been submitted that if direction is given upon the concerned authority appropriate steps shall be taken for deciding the re-recommendation application of the petitioner.

Having considered the submissions made on behalf of the respective parties the writ petition stands disposed of directing the Chairman, West Bengal Central School Service Commission being respondent no. 3 to call the petitioner by fortnight from the date of communication of this order with 7 (seven) days notice for his appearance before the respondent no. 3 to disclose the available vacancies to the petitioner in order to grant him opportunity to opt for a school for being re-recommended.

After granting opportunity to the petitioner to exercise option in terms of the aforesaid directions the respondent no. 3 shall pass an order relating to re-recommendation of the petitioner by fortnight thereafter and the same shall be communicated to the petitioner by 1 (one) week thereafter.

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.)