

Ml- 25.11.2024
143 Ct.18
rkd

W.P.A. 22318 of 2023

Mohua China

-vs-

The State of West Bengal & Ors.

Mr. Rajnil Mukherjee,
Ms. Satabdi Dey,
Ms. Jayati Chatterjee

....for the petitioner.

Mr. Biswabrata Basu Mallick

....for the State.

Ms. Koyeli Bhattacharyya,
Mr. Bibek Dutta,
Ms. Keya Panja

....for the WBBSE.

Mr. Sunit Kumar Roy

....for the WBCSSC.

Matter is heard in presence of the learned advocates representing the petitioner and respondent authorities.

Matter relates to transfer on the ground of distance in between the present school of the petitioner and her place of residence.

Previously for violation of order of a coordinate Bench dated 16th June, 2022 a contempt proceeding was initiated and same was disposed of vide order dated 10th February, 2023 and such order is at pages 163 and 164 of the writ petition.

Pursuant to such order passed in the contempt proceeding dated 10th February, 2023 Chairman, West Bengal Central School Service Commission completed exercise as it was required and

a post was primarily offered to the petitioner for transfer in Krishnabhabani Nari Siksha Mandir. However, Headmistress of the said school informed that the post of Assistant Teacher in English (normal section) was not lying vacant.

It further appears from the order dated 13th February, 2023 passed by the Chairman of the West Bengal Central School Service Commission that the petitioner was not willing to opt for any other vacancies which were disclosed to her pursuant to the order dated 10th February, 2023.

In view of aforesaid situation, no relief can be granted to the petitioner in the present writ petition and same is dismissed.

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

However, 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.)