

20.11.2024
SI No.36
Court No.18
(gc)

WPA 23292 of 2024

**Mani Sankar Barik
Vs.
The State of West Bengal & Ors.**

Mr. Shuvro Prakash Lahiri,
Mr. Rajesh Naskar
Mr. Ankan Mondal
...for the Petitioner.
Mr. Rajarshi Basu,
Mr. K.M. Hossain
...for the State.
Mr. Sunit Kr. Roy
...for the SSC.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Learned Advocate representing the petitioner submits that the concerned authority of the West Bengal Central School Service Commission vide memo dated 27th December, 2021 recommended the petitioner for transfer from Raskundu High School, H.S., to Bhetia Chandi High School, District - Paschim Medinipur. Based on such recommendation memo dated 27th December, 2021, West Bengal Board of Secondary Education issued transfer order on 30th December, 2021 and, accordingly, petitioner tried to join the transferred post but he was informed by

Bhetia Chandi High School (HS), District-Paschim Medinipur that the post where petitioner was transferred was not lying vacant. Not being permitted to join the transferred post, petitioner made an application for re-recommendation on the Portal and by presenting this writ petition, petitioner has prayed for taking decision on such online application of the petitioner.

3. State respondents and West Bengal Central School Service Commission are represented by learned Advocates who have jointly submitted perhaps due to suspension of Utsashree Portal with effect from 29th September, 2022, decision could not be taken on online application made by the petitioner seeking re-recommendation.
4. However, it has been submitted on behalf of Commission that if direction is given upon the Chairman, steps shall be taken re-recommending the petitioner subject to availability of vacancy.
5. Having considered the rival submission made on behalf of the parties, writ petition stands disposed of directing the Chairman, West Bengal Central School Service Commission being additional respondent no.7 to call the

petitioner on a particular date and to disclose the available suitable vacancies to the petitioner where he can be transferred. If on disclosing vacancies petitioner opts a vacancy, an order shall be passed by the Chairman by seven days thereafter thereby re-recommending the petitioner for his transfer.

6. Aforesaid exercise shall be completed by the Chairman by six weeks from the date of communication of this order. The order to be passed by the Chairman shall be communicated to the petitioner by one week thereafter.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)