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Ct-08

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MAT 2042 of 2023
with
I.A No. CAN 2 of 2023

Lopamudra Sarkar
Vs.
The State of West Bengal & Ors.

Mr. Shuvro Prokash Lahiri
Mr. Rajesh Naskar
Ms. Tithi Mazumdar
... For the Appellant

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
... For the WBCSSC

Ms. Tapati Samanta
... For the State

1. We have heard the learned counsel
appearing for the parties.

2. The report filed in the form of an affidavit
by the respondent no. 5 is taken on record. In
the said affidavit in sub-paragraph (iv) and (v) of
paragraph 4 it is stated as follows:-

*(iv) From the above Table it is clear that two
posts in Geography are vacant in Garifa Girls
High School (H.S) and excepting that there is
no vacancy in Geography in the other three
schools of the Barrackpore Sub-Division of
the district of North 24 Parganas.*

*(v) It is humbly and respectfully submitted
that this matter is more or less identical with
the case of 'Rupali Ghosh Vs. The State of
West Bengal & Others (MAT No. 1013 of
2022)'.*

3. In the order passed in Rupali Ghosh Vs. The State of West Bengal & Ors. (MAT 1013 of 2022) on 6th September, 2023, we directed the District Inspector of Schools(S.E) concern to forward the name of the appellant, for the school in which Ms. Ghosh was to be transferred, to the West Bengal Central School Service Commission for recommendation and consequent upon the recommendation, the Board was directed to issue transfer order.

4. In view of the similar situation in the instant case, we direct the District Inspector of Schools (S.E), Nadia to forward the name of the appellant in Garifa Girls High School (H.S) to the West Bengal Central School Service Commission for recommendation and consequent upon the recommendation, the Board shall issue the transfer order.

5. The entire process shall be completed within three months from date and the appellant would be released only after the conclusion of the ensuing higher secondary examination, however, before the next academic session for higher secondary.

6. In view of the above, MAT 2042 of 2023 stands disposed of.

7. In view of the disposal of the appeal, nothing remains to be decided in the application for stay being CAN 2 of 2023 and the same is accordingly disposed of.

8. However, there shall be no order as to costs.

9. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar ,J.)

(Soumen Sen, J.)

