

MAT 290 of 2025
CAN 1 of 2025

Krishna Mahata
Vs.
State of West Bengal & Ors.

Mr. Ujjal Ray
Mr. Atreya Chakraborty ... for the appellant

Mr. Supriya Chattopadhyay
Mr. Debasish Kar ... for the State

Mr. Sunit Kr. Roy ... for the S.S.C.

1. Affidavit –of-service is taken on record.
2. The fact that emanates from the submission of the parties is that the Aghor Baskey is the first candidate in the first preference school and also he is the first candidate in the second preference school. Insofar as the other two candidates in the second preference school is concerned their fate is yet to be ascertained as from the portal is not very clear whether at all their cases have been considered by the authority concerned.
3. It is submitted on behalf of the appellant that Disciplinary Proceeding is pending against Aghor Baskey which disentitled him to seek any transfer until the said proceeding is concluded.
4. Learned counsel appearing on behalf of the West Bengal Central School Service Commission submits that the matter may be referred to the Chairman, West Bengal Central School Service Commission to resolve the matter where all the records can be considered and an appropriate order may be passed by the said Chairman.

5. In view of the aforesaid, we direct the District Inspector of School concerned, to remit all records pertaining to the appellant as well as the Aghor Baskey, Sanjib Kumar Mohanty and Bhajan Kumar Kundu to the Chairman, W.B.C.S.C. within a fortnight from date. The Chairman shall consider the prayer for transfer of the writ petitioner to first preference and second preference schools within a period of six weeks from the date of receipt of the records from the District Inspector of School and, if required, after giving a reasonable opportunity of hearing to the writ petitioner, the school authorities and District Inspector of School and other candidates. The representation shall be disposed of by a reasoned order and in accordance with law. The reasoned order shall be communicated to the parties within a week from date of the order.
6. With the aforesaid direction, the appeal and applications are disposed of
7. Impugned order is set aside.
8. Certified copy filed in Court today is taken on record.

(Soumen Sen, J.)

(Smita Das De, J)