

W.P.A. 5320 of 2025

**Sujit Mondal
Vs.
The State of West Bengal & Ors.**

Ms. Sarmi Dutta
...for the petitioner

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Ms. Keya Panja
...for the Board

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

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

Petitioner applied for transfer and said transfer application was processed and ultimately considered by the concerned authority of West Bengal Central School Service Commission. Secretary of the Commission issued recommendation letter dated 24th June, 2022 for transfer of the petitioner from Ramchandrapur High School, Sankrail, Howrah to St. Paul's High School, Kolkata. Based on such recommendation memo dated 24th June, 2022 Secretary, West Bengal Board of Secondary Education issued transfer order dated 27th June, 2022. However, petitioner could not join the transferred post in St. Paul's High School and in support of the same

a letter dated 25th June, 2022 issued on behalf of the said school authority is annexed to this writ petition which is at page 57. From the said letter it appears that the authority of St. Paul's High School has claimed that the school in question is a minority institution. Therefore, they are not bound by the recommendation made by the West Bengal Central School Service Commission as a result whereof petitioner was not permitted to join the transferred post. Petitioner prays for direction upon the concerned respondent authorities for his transfer to some other schools considering available as well as suitable vacancies.

West Bengal Central School Service Commission and the Board are represented by learned advocates.

It is submitted on behalf of the Commission once petitioner has been recommended by the Commission vide memo dated 24th June, 2022 for his transfer and petitioner could not join the transferred post since the school authority claimed that the school in question is a minority school, an opportunity may be given to the concerned authority of the Commission to reconsider the transfer application of the

petitioner for transferring him to some other schools.

Having considered the submissions made on behalf of the parties writ petition stands disposed of directing the Chairman, West Bengal Central School Service Commission being respondent no. 3 to call the petitioner by 4 (four) weeks from the date of communication of this order and disclose available and suitable vacancies to him for his transfer. If petitioner opts for vacancy in that event an appropriate order shall be passed for transfer of the petitioner and same shall be communicated to the petitioner by 10 days thereafter.

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

(Saugata Bhattacharyya, J.)