

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. 15335 of 2025

19
rkd 14.08.2025
Ct.18
DO

Imrah Mollah

-vs-

The State of West Bengal & Ors.

Mr. Ujjal Ray,
Ms. Atreya Chakraborty,
Mr. Binit KUMar

....for the petitioner.

Mr. Biswabrata Basu Mallick,
Mr. Avishek Prasad,
Mr. Abhishek Chakraborty

....for the State.

Mr. Sunit Kumar Roy

....for the WBCSSC.

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. In the writ petition memo dated 19th June, 2025 is questioned whereby transfer application of the petitioner was rejected since petitioner applied for transfer to a particular school, namely, Rajarhat Sikshaniketan (HS), North 24 Parganas.
3. At first blush, it appears that impugned decision of the Secretary is cryptic and Secretary is not authorized to take decision pursuant to the order passed by this Court on 27th March, 2025 on a writ petition being WPA 27522 of 2023 preferred by the petitioner.

4. In the said order dated 27th March, 2025 Court directed Chairman, West Bengal Central School Service Commission to take decision on transfer application of the petitioner but on perusal of the impugned memo dated 19th June, 2025 it transpires that Secretary has passed order.
5. Hence, the impugned order dated 19th June, 2025 stands set aside.
6. Chairman, West Bengal Central School Service Commission being respondent no.3 is directed to take decision on transfer application of the petitioner in terms of the order passed by this Court on 27th March, 2025 within a period of four weeks from the date of communication of this order.
7. Before taking such decision, Chairman shall grant an opportunity to the petitioner to appear before him and available vacancies shall be disclosed to the petitioner in the schools adjacent to Rajarhat Sikshaniketan (HS), North 24 Parganas.
8. If petitioner finds he will not be transferred to the vacancy in Rajarhat Sikshaniketan (HS), North 24 Parganas, it will be open to the petitioner to opt for a vacancy among those vacancies which are to be disclosed to the petitioner.
9. Chairman shall pass a reasoned order and shall be

communicated to the petitioner by ten days thereafter.

10. The writ petition stands disposed of with a note of caution to the Secretary, West Bengal Central School Service Commission that if aforesaid conduct recurs in future, same shall be dealt with appropriately.
11. However, there shall be no order as to costs.
12. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)