

20.08.2025
Court No. 18
Item No. 11
(Suvendu)

WPA 15916 of 2025

Surajit Midya
-Versus-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
Ms. Pritha Biswas
.....for the petitioner

Mr. Sunit Kumar Roy
.....for the WBCSSC

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
.....for the WBBSE

- 1) Affidavit of service filed on behalf of the petitioner is taken on record.
- 2) Petitioner is working as Peon (Group -D) in a Government aided school who applied for transfer. Transfer application was allowed and recommendation was made by the Secretary, West Bengal Central School Service Commission (for short, "Commission") by issuing recommendation memo dated 2nd February, 2022 for transfer of the petitioner to another school. Based on recommendation dated 2nd February, 2022 concerned authority of West Bengal Board of Secondary Education issued transfer order on 3rd February, 2022. Petitioner

tried to join the post where he was transferred but the school authority informed the concerned authority that the post against which petitioner was recommended was not lying vacant which prompted the petitioner to make an application seeking re-recommendation. Application for re-recommendation was made on portal on 8th February, 2022.

3) Grievance of the petitioner is that till date his application seeking re-recommendation has not been decided.

4) The Commission and West Bengal Board of Secondary Education are represented by learned advocates.

5) From the facts enumerated above, it appears that there was no delay on the part of the petitioner in approaching concerned authority of the Commission for re-recommending the petitioner which would permit the petitioner to be transferred to another school. After the school authority where petitioner was recommended vide recommendation memo dated 2nd February, 2022 informed the concerned authority vide email letter dated 8th February, 2022 that the post against which petitioner was recommended was not lying vacant, on the same date that is

on 8th February, 2022 petitioner applied for re-recommendation on portal and such application for re-recommendation is yet to be decided.

6) Having considered the aforesaid situation, Chairman of the Commission being respondent no. 3 is directed to call the petitioner to appear before him by four weeks from date of communication of this order. Petitioner shall be disclosed available vacancies and if petitioner opts any of such vacancies appropriate steps shall be taken for re-recommending the petitioner within fortnight thereafter thereby permitting the petitioner to take transfer to opted school.

7) Writ petition stands disposed of.

8) 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.

(Saugata Bhattacharyya, J.)