

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. 16481 of 2025

33
rkd
21.08.2025
Ct.18
DO

Bhabani Sarkar

-vs-

State of West Bengal & Ors.

Mr. Md. Yusuf Ali

....for the petitioner.

Mr. Supriyo Chattopadhyay,
Mr. Suman Dey

....for the State.

Mr. Sunit Kumar Roy

....for the WBCSSC.

Ms. Koyeli Bhattacharyya,
Mr. Bibek Dutta

....WBBSE.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. On perusal of the writ petition, it appears that Secretary of West Bengal Central School Service Commission has passed order by issuing memo dated 3rd March, 2025 on transfer application of the petitioner. However, such decision is taken in terms of the order dated 14th February, 2025 passed by this Court on a writ petition being WPA 2461 of 2025 preferred by the petitioner.
3. By order dated 14th February, 2025 Chairman, West Bengal Central School Service Commission being respondent no.3 was directed to decide transfer application of the petitioner in accordance with law. Therefore, Secretary, West Bengal Central

School Service Commission is not authorized to take steps on transfer application of the petitioner. However, Secretary has done this which is contrary to the order passed by this Court on 14th February, 2025.

4. Hence, the order dated 3rd March, 2025 stands set aside.
5. Chairman, West Bengal Central School Service Commission being respondent no.3 is directed to decide the transfer application of the petitioner in terms of the order dated 14th February, 2025 by fortnight from date and communicate the same by seven days thereafter.
6. It is found that repeatedly Secretary of the Commission is passing orders though in terms of the relevant orders passed by this court Chairman, West Bengal Central School Service Commission was directed to take decision. Such steps taken by the Secretary of the West Bengal Central School Service Commission is deprecated.
7. The writ petition stands 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 learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)