

25.02.2025
Court No. 18
Item No. 90
(Suvendu)

WPA 25478 of 2024

Pramita Chatterjee
-Versus-

The State of West Bengal & Ors.

Mr. Sambuddha Dutta
Mr. Rahul Kumar Singh
.....for the petitioner

Ms. Nilanjana Banerjee
Ms. Sucheta Banerjee
...for the State

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

Ms. Koyeli Bhattacharya
Mr. Bibek Dutta
Ms. Keya Panja
.....for the WBBSE

Matter is heard in terms of order dated
20th January, 2025 in presence of learned
advocates representing the parties.

Petitioner being an Assistant Teacher of
Bahadurpur Colony Junior Girls High School,
Murshidabad (hereinafter referred to as “said
school”) made an application for transfer on the
ground that at material point of time there were

eight students in the said school who were very irregular.

A memo dated 1st October, 2024 issued by the Secretary-in-Charge, West Bengal Central School Service Commission addressed to the Commissioner of School Education, West Bengal has been annexed to the supplementary affidavit filed on behalf of the petitioner in connection with the writ petition. From the said memo dated 1st October, 2024 it appears that application of petitioner seeking transfer on the ground of zero enrolment of students in the said school was forwarded to the Commissioner of School Education, West Bengal thereby treating the same as a special case for taking necessary steps.

Vide order dated 20th January, 2025, Court directed learned advocates to apprise this Court whether Commissioner of School Education has taken any decision based on memo dated 1st October, 2024 which was addressed to the Commissioner.

Today, nothing is placed before this Court from where this Court can derive a conclusion that formal decision is taken by the

Commissioner of School Education taking note of the application of the petitioner seeking transfer since in her school there is no students (zero enrolment).

This Court finds that no useful purpose would be subserved in keeping this writ petition pending.

Hence, writ petition stands disposed of directing the Commissioner of School Education, West Bengal, being respondent no. 2 to take decision on transfer application of the petitioner by eight weeks from the date of communication of this order taking note of the memo dated 1st October, 2024 issued by the Secretary-in-Charge of West Bengal Central School Service Commission addressed to the Commissioner of School Education, West Bengal. Respondent nos. 2 is required to take a reasoned decision after granting opportunity of hearing to the petitioner or her representative. Decision to be taken by the respondent no. 2 shall be communicated to the petitioner by ten days thereafter.

Petitioner is directed to submit all necessary documents in support of her claim

before respondent no.2 at the time of making deliberation.

There shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)