

**CALCUTTA HIGH COURT IN THE CIRCUIT BENCH
AT JALPAIGURI**

5
02.08.2025
Ct. No. 2
adeb

WPA 1603 of 2025

**Bijan Kumar Sikdar
Vs.
The State of West Bengal & Ors.**

**Mr. Aninda Bose
Mr. Santanu Maji
Mr. Jogesh Ch. Roy**

....for the petitioner

**Mr. Subir Kumar Saha
Ms. Bedashruti Bose**

...for the State

Mr. Sunit Kumar Roy

...for the SSC

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Petitioner prays for transfer to the post of Assistant Teacher in English (PG) in Siliguri Jagadish Chandra Vidyapith. Petitioner at present is working in Batasi Sastrijee High School (HS). Challenge is thrown to memo dated 30th May, 2025 wherein Chairman, West Bengal Central School Service Commission decided transfer application of the petitioner and same was rejected observing that in the earlier transfer application petitioner opted Siliguri Jagadish Chandra Vidyapith as first preferred school but petitioner ranked 8th.
3. It is submitted by the learned advocate representing the petitioner who appears on virtual mode that subsequent to the application made seeking transfer

in terms of the order dated 4th October, 2024 passed by a coordinate bench on the writ petition being WPA 202 of 2024 a vacancy arose in Siliguri Jagadish Chandra Vidyapith as it appears from memo dated 22nd November, 2024 issued by District Inspector of Schools (SE) Siliguri. It is also contended the vacancy which arose was notified to the Chairman, West Bengal Central School Service Commission (for short 'Commission') by the concerned District Inspector of Schools is not the vacancy against which transfer of the petitioner was considered based on transfer application made on Utsashree Portal and the subsequent exercise made by the Chairman of the Commission while passing order dated 30th May, 2025. It is submitted since a new vacancy has arisen in Siliguri Jagadish Chandra Vidyapith same may be considered for petitioner's transfer based on transfer application made in terms of the order of the coordinate bench dated 4th October, 2024 by setting aside memo dated 30th May, 2025.

4. State respondents and Commission are represented by learned advocates.
5. Mr. Sunit Kumar Roy, learned advocate representing the Commission on virtual mode submits at the time of taking decision as contained in impugned memo dated 30th May, 2025 Chairman of the Commission had to take decision on the basis of transfer

application made in terms of the order dated 4th October, 2024 passed by the coordinate bench. In the said transfer application petitioner opted the post in Siliguri Jagadish Chandra Vidyapith which was indicated in his previous transfer application made on designated portal. Therefore, the Chairman of the Commission had no other option but to take into consideration the said post in Siliguri Jagadish Chandra Vidyapith against which petitioner ranked 9th resulting in refusal to transfer the petitioner to Siliguri Jagadish Chandra Vidyapith.

6. However, having heard the learned advocates representing the parties it appears situation is altered due to notifying another vacancy in Siliguri Jagadish Chandra Vidyapith vide memo dated 22nd November, 2024 to the Chairman of the Commission. Therefore, impugned memo dated 30th May, 2025 is set aside and Secretary of the Commission is directed to consider afresh transfer application of the petitioner which was made in terms of the order dated 4th October, 2024 of the coordinate bench within a period of 4 (four) weeks from the date of communication of this order taking into consideration the vacancy in Siliguri Jagadish Chandra Vidyapith as notified by the District Inspector of Schools (SE) Siliguri to the Chairman of the Commission vide memo dated 22nd November,

2024. Decision to be communicated to the petitioner by 10 days thereafter.

7. Writ petition stands disposed of.

8. Leave is granted to the learned advocate representing the petitioner to amend the cause title to add Secretary, West Bengal Central School Service Commission as additional respondent. However, service of notice upon the additional respondent stands dispensed with since Commission is represented by learned advocate.

9. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)