

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 725 of 2026

Smt. Sunetra Sengupta
v.
The State of West Bengal & Ors.

Mr. Shamim Ul Bari
... For the petitioner

Ms. Mousumi Halder Choudhury
Mr. Mostafijur Rahaman
... For the State

Mr. Sunit Kumar Roy
Mr. Rahul Kumar Singh
... For the WBCSSC

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

1. The petitioner was appointed as a teacher after she was successful in the 1st SLST-2016. The appointment of the petitioner stood nullified by the judgment passed by the Hon'ble Supreme Court on 3rd April, 2025 in Civil Appeal No. 4800 of 2024 in the matter of State of West Bengal Vs. Baishakhi Bhattacharyya (Chatterjee) & Ors.

2. The petitioner has been repatriated to her earlier posting but at a school which the petitioner claims to be very far away from her residence.

3. The petitioner submits that she is suffering from various health issues. She has a minor child who

is suffering from serious ailments and under the active supervision of specialist doctors. The petitioner's mother is suffering from Parkinson disease and her mother is fully dependent upon her. The petitioner's father-in-law has suffered a brain haemorrhage and is in hospital for a long period and there is nobody in the family to look after them.

4. Learned advocate for the petitioner submits that it is practically impossible for her to commute to such far off distance on daily basis.

5. The petitioner sought for posting at a school which is close to her residence prior to joining the present place of posting. As there was no response from the authority and the petitioner could not risk leaving the job, she joined the school in which she was recommended. After her joining, she again filed representation seeking posting in a school close to her residence. No steps have been taken by the authority till date.

6. Prayer has been made to direct the authority to consider her request for transfer to a nearby school. The petitioner has disclosed names of certain schools in her representation where the petitioner claims that vacancy is available.

7. Learned counsel representing the West Bengal Central School Service Commission opposes the prayer of the petitioner. It has been submitted that the

petitioner cannot claim posting as per her choice. The petitioner has been repatriated in compliance of the direction passed by the Hon'ble Supreme Court.

8. As it appears that the petitioner has already joined the recommended school and she intends to be posted in a school close to her residence, accordingly, the instant writ petition stands disposed of with the observation that it will be open for the petitioner to make fresh application offline seeking transfer in the prescribed format before the head of the institution disclosing reason for the same.

9. The head of the institution shall consider the prayer of the petitioner in accordance with the prevailing transfer rules.

10. If the prayer of the petitioner is allowed, then necessary consequential steps shall be taken by the authority at the earliest but positively within a period of eight weeks from the date of filing of the application.

11. The fate of the petitioner's application shall be made known to the petitioner immediately thereafter.

12. Suspension of the Utsashree portal will not stand in the way of the authorities from taking steps in terms of the order passed hereinabove.

13. The writ petition stands disposed of.

14. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

15. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)