

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 2915 of 2026

Lingaraj Dey
v.
The State of West Bengal & Ors.

Mr. Shamim Ul Bari
... For the petitioner

Mr. S. Bandopadhyay
Ms. Deboleena Ghosh
... For the State

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

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

1. Affidavit of service filed in Court today is taken on record.

2. The petitioner was appointed as a teacher after he 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.

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

4. The petitioner submits that the present school where he has been posted is situated 110 kilometers away from his residence and it is practically impossible for him to attend school regularly. It has been submitted that the petitioner has aged ailing parents to look after.

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

6. 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 his choice. The petitioner has been repatriated in compliance of the direction passed by the Hon'ble Supreme Court.

7. As it appears that the petitioner has already joined the recommended school and he intends to be posted in a school close to his 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.

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

9. 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.

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

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

12. The writ petition stands disposed of.

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

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

(Amrita Sinha, J.)