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NANDY

(DO)

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA/9772/2026

UTPAL MALIK

Vs.

THE STATE OF WEST BENGAL & ORS.

Mr. Sudip Ghosh Chowdhury, Advocate

Ms. Pritha Biswas, Advocate

Ms. Upasana Sarkar, Advocate

.....for the Petitioner

Mr. Sunit Kumar Roy, Advocate

.....for the WBCSSC

1. Affidavit of service, as filed, be kept with the record.
2. In spite of service, the school is not represented.
3. The petitioner is an Assistant Teacher. The petitioner has applied for a transfer from the School, for which the School had duly issued 'No Objection Certificate'.
4. The transfer was sought on the spouse medical ground of the petitioner. The spouse of the petitioner has also gone through the two-tier medical examination, first by the School and then by the District Inspector of Schools.
5. The respondent no. 5 had thereafter forward the recommendation to the respondent no. 4 sometime in 2022.
6. It appears from the record that the respondent no. 4 has not disposed of such application which is pending since 2022.
7. The respondent no. 4, Secretary, West Bengal Central School Service Commission or the appropriate authority is directed to consider the case of the petitioner and dispose of the same by July 15, 2026. The Commission will recommend the transfer of the petitioner to a school of his choice, provided such school is not notified for any other competitive examinations.
8. With these aforesaid directions, the writ petition is disposed of. There shall, however, be no order as to costs.
9. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)

