14-10-2026
Item No.8
Subrata Bhattacharyya AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.29627 of 2026
Abhijit Roy
-vs-
State of West Bengal & Ors.

Mr. Sk. Sahjahan Ali
Ms. Shreya Banerjee ...for the petitioner

Mr. Bikash Chandra Das
Mr. Parashar Baidya ...for the State

Mr. Sunit Kumar Roy ...for the Commission

Ms. Koyeli Bhattacharyya
Mr. Bibek Datta ...for the Board

1. The petitioner joined in a school named Natibpur Bhudeb Vidyalaya HS, Hooghly on August 12, 2026 pursuant to the recommendation letter issued by the West Bengal Central School Service Commission and the transfer order issued by the West Bengal Board of Secondary Education.

2. After joining, it transpired that the post where the petitioner is currently serving is not sanctioned by the State. The school has intimated about the same to the District Inspector of Schools by a communicating letter dated September 30, 2026.

3. The petitioner has also intimated the same to the Commissioner of School Education, West Bengal and the DI of Schools with a request to take steps to recommend him in a different school where there is a matching vacancy close to his residence.

4. As the petitioner is serving in an unsanctioned post, he is not being paid his salary despite service rendered by him.

5. The petitioner prays for a direction upon the Commission to take step to re-recommending the petitioner to a school with matching vacancy.

6. Learned counsel for the Commission submits that the fact that the post in question had been converted was never intimated to the authority by the school.

7. Learned counsel for the State has obtained instruction from the District Inspector of Schools (SE), Hooghly dated October 13, 2026 mentioning that as the recommendation and the transfer order were issued by the Commission and the Board respectively, the DI of Schools has no role to play in the matter.

8. Upon hearing the parties, it appears that the petitioner has been recommended to a school where there is no matching vacancy. For such reason the petitioner is also not being paid his salary.

9. Hence, the Commission is directed to re-recommend the petitioner to some other school close to his residence where there is matching vacancy.

10. Steps shall be taken by the Commission at the earliest but positively within a period of six weeks from the date of communication of this order.

11. The writ petition is disposed of.

12. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.

13. Certified server copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]