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14.10.2026
Court No.24
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IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction

Appellate Side

WPA 29976 of 2026

Rimpa Banik
-vs-
The State of West Bengal & Ors.

Mr. Ujjal Ray
... For the petitioner

Mr. Lokenath Chatterjee
Mr. Anjan Chakraborty
Ms. Sruti Datta
... For the State

Mr. Sunit Kumar Roy
... For the WBCSSC

Ms. Koyeli Bhattacharyya
... For the WBBSC

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

2. None appears on behalf of the West Bengal Board of Secondary Education.

3. Ms. Koyeli Bhattacharyya, learned advocate who usually appears on behalf of the West Bengal Board of Secondary Education before this Court is requested to appear in this matter. Competent authority of the West Bengal Board of Secondary Education is requested to regularise her engagement in this matter.

4. 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 v. Baishakhi Bhattacharyya (Chatterjee) & Ors.

5. The petitioner has been repatriated to her earlier posting, but at a school which the petitioner claims to be 230 kilometers away from her residence.

6. She prays for re-recommendation to a school which is commutable from her residence on daily basis.

7. Learned counsel for the petitioner submits that the petitioner has already approached the Commissioner of School Education praying for consideration of her request to post her at a school which is close to her residence. The representation of the petitioner is pending consideration.

8. Learned counsel representing the School Service Commission submits that if the Commissioner forwards any matching vacancy where the petitioner may be posted, then the case of the petitioner may be considered.

9. The petitioner has annexed documents with the writ petition in support of her submission that she is suffering from serious medical issues.

10. In the absence of any instruction from the Commissioner of School Education, it will not be possible for the Court to decide the issue conclusively.

11. As the representation filed by the petitioner is pending consideration, accordingly, the Commissioner of School Education is directed to find out a matching vacancy which is close to the residence of the petitioner and which is commutable on regular basis by the normal means of transport.

12. If such a vacancy is found, the same shall be forwarded to the Commission for re-recommending the petitioner in the said school. The petitioner has annexed certain vacancies where she may be posted. The same may also be considered by the Commissioner.

13. Steps shall be taken by the Commissioner at the earliest but positively within a period of twelve weeks from the date of receipt of a copy of this order.

14. Prior to passing a final order in the matter, the Commissioner of School Education shall provide an opportunity of hearing to the petitioner to place her case and to put forth the vacancies which is within her knowledge where she may be posted.

15. Learned advocate for the petitioner is directed to forward a copy of the subject representation, along with all supporting documents to the aforesaid respondents at the time of communicating the order of the Court.

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

17. Certified server copy of this order, if applied for, be supplied to the parties on compliance of all requisite formalities.

(Amrita Sinha, J.)