

10th Feb., 2026
Item no.D/L 26
Court No. 18
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 27591 of 2022**

In the matter of :

Shubhashis Ghosh

.... Petitioner

VS.

The State of West Bengal & Ors.

....Respondents

For the Petitioner:

Mr. Sudip Ghosh Chowdhury

....Advocate

For the WBCSSC:

Mr. Dr. Sutanu Kumar Patra
Ms. Supriya Dubey

....Advocates

For the WBBSE:

Mr. Bibek Dutta

....Advocate

1. Affidavit of service filed in Court today is taken on record.
2. Leave granted to the advocate on record of the petitioner to implead the Commissioner of School Education as party respondent in the instant writ petition. Formality of serving a copy of the writ petition upon the added respondent stands dispensed with as the State is already represented by the learned advocate.
3. The petitioner was transferred on special ground by an order of transfer dated 28th August, 2021 issued by the West Bengal Board of Secondary Education.
4. The school in which the petitioner was transferred did not have any sanctioned vacant post. Despite the same, the petitioner was permitted to join.

5. The Additional District Inspector of Schools, Arambagh, Hooghly vide order dated 28th October, 2021 issued an order for provisional approval of the petitioner for continuation of his salary.
6. The Commissioner of School Education vide communicating letter dated 7th February, 2022 requested the Chairman, of the West Bengal Central School Service Commission to consider transfer of the petitioner to any other school with suitable vacancy to resolve the problem. The same is pending consideration till date.
7. Learned advocate for the petitioner submits that one of the teachers in the sanctioned post expired in the year 2023 and a vacancy is available for approval of the service of the petitioner in the said post.
8. It appears that the fact of death of the assistant teacher has not been made known to the Commissioner of School Education.
9. In view of the above, leave is granted to the petitioner to file representation disclosing the fact of death of the teacher holding the sanctioned post so that the petitioner may be approved in the said vacancy.
10. In the event such a representation is made, the Commissioner of School Education shall take a decision in the matter in accordance with law at the earliest but positively within a period of twelve weeks from the date receipt of the representation.
11. The writ petition stands disposed of.
12. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)