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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 29972 of 2026

Manabendra Roy

-vs-

The State of West Bengal & Ors.

Mr. Ujjal Ray
... For the petitioner

Mr. Lokenath Chatterjee
Mr. Ram Chandra Agarwal
Mr. Suchindram Bhattacharjee
... 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 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 v. Baishakhi Bhattacharyya (Chatterjee) & Ors.

5. The petitioner has been repatriated to his earlier posting, but at a school which the petitioner claims to be 154 kilometers away from his residence.

6. He submits that his wife is suffering from serious gynecological issues for which it is absolutely impossible for him to commute to such far off distance on daily basis leaving the ailing wife. He prays for re-recommendation to a school which is commutable from his residence on daily basis.

7. Learned counsel representing the West Bengal Central 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.

8. It appears that the petitioner has annexed several medical documents with the writ petition in support of his submission that his wife is suffering from serious gynecological issues.

9. 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.

10. In view of the above, the instant writ petition is disposed of with the observation that it will be open for the petitioner to make a comprehensive representation before the Commissioner of School Education annexing all documents in support of his stand.

11. On receipt of the representation from the petitioner, the Commissioner of School Education shall consider the same and 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 at the said school.

13. Steps shall be taken by the Commissioner at the earliest but positively within a period of eight weeks from the date of receipt of the comprehensive representation along with supporting documents from the petitioner.

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 his case and to put forth the vacancies which is within his knowledge where he may be posted.

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

website of this Court.

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

(Amrita Sinha, J.)