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21.03.2022
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**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 4268 of 2022

**Subhankar Chatterjee
-versus
State of West Bengal & Ors.**

**Mr. Sudip Ghosh Chowdhury,
Mr. Abhishek Bose.
...For the Petitioner.**

**Mr. Manoj Malhotra,
Mr. Suman Dey.
...For the State.**

**Mr. Bhaskar Prasad Vaisya,
Mr. Gourav Das.
...For DPSC.**

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

The petitioner is a teacher of Sekh Para FP School. According to the information that is available in the official website maintained by the School Education Department, Government of West Bengal, there are 138 students in the said school with five teachers.

The petitioner made an application in the Utsashree Portal for transfer as the distance of the school from his residence is 61 kms. According to the petitioner, he has to commute 122 kms everyday to reach his school.

The prayer of the petitioner for transfer was refused on the ground that if the petitioner is released from the school, there will be deficit number of teachers.

The petitioner thereafter, made representation before the Chairman, District Primary School Council, South 24-Parganas with a request to reconsider his prayer for transfer on 8th March, 2022.

The petitioner alleges that the said application has not been taken up for consideration till date.

The ground mentioned for rejecting the application for transfer made by the petitioner cannot be sustained in law.

As it appears that the application made by the petitioner for reconsideration of his prayer for transfer is pending consideration at the end of the Council, accordingly, the instant writ petition is disposed of by directing the Chairman, District Primary School Council, South 24-Parganas to take a decision with regard to the prayer made by the petitioner for transfer in accordance with law, at the earliest, but positively within a period of six weeks from the date of communication of a copy of this order.

The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

The petitioner is directed to forward a copy of his application sent to the District Primary School Council, South 24-Parganas through email on 8th March, 2022 at the time of communicating the order of this Court.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)