

13.08.2024.
PB
Sl. No.21.
Ct. No.14.

**In The High Court At Calcutta
Constitution Writ Jurisdiction
Appellate Side**

WPA 18858 of 2024

Prasanta Barui
Vs
The State of West Bengal & Ors.

Mr. Shyamal Kumar Das,
Mr. Ajay Barman Roy.
.....for the petitioner.

Mr. Pinaki Bhattacharyya.
.....for the DPSC.

Mr. Mrinal Kanti Ghosh.
.....for the State.

The petitioner seeks transfer. Vide office memo dated 22nd November, 2021, the petitioner was transferred on administrative ground to act as the Assistant Teacher in a different school. The transfer order mentioned that no prayer for transfer shall be entertained for the next seven years if the transfer order is not carried out by the incumbent concerned within a stipulated time frame.

The petitioner being aggrieved by the said order of transfer approached this Court, but, the Court was not pleased to entertain the writ petition. However, the

proceeding consumed some time for which the petitioner was delayed by ten days in joining the transferred school.

The petitioner submits that as he acted in accordance with the order of transfer, accordingly, his present application for transfer ought to be considered by the respondent authority.

The petitioner made fresh application for transfer which is pending consideration. The distance travelled by the petitioner as mentioned in the application seeking transfer is 200 kms. or more daily from his house.

Without going into the merit of the said application, the instant writ petition is disposed by directing the Chairman of the North 24 Parganas, District Primary School Council to consider the said application in accordance with law at the earliest, but positively within a period of 90 days from the date of communication of this order.

A reasoned order shall be passed by the Chairman and communicated to the petitioner.

The petitioner is directed to forward a copy of the application seeking transfer along with other relevant documents to the aforesaid respondent at the time of communicating the order of the Court.

Writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties as early as possible.

(Amrita Sinha, J.)