

13.11.2024  
Item No.33  
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IN THE HIGH COURT AT CALCUTTA  
Circuit Bench at Jalpaiguri  
Constitutional Writ Jurisdiction  
Appellate Side

**WPA/2371/2024**

NABYENDU ROY SARKAR & ANR.  
VS  
THE STATE OF WEST BENGAL & ORS.

Mr. Santanu Maji (VC),  
Mr. Jagesh Ch. Roy,  
. . . for the petitioners.

Mr. Pretom Das,  
..for the State.

The petitioner no.1 is an Assistant Teacher in Baromasia Govt. Primary School under Sitalkuchi East Circle which is under Cooch Behar District Primary School Council since 25.08.2021. The petitioner no.2 is an Assistant Teacher in Nagar Sahebganj New Primary School under Haldibari Circle within District Primary School Council, Cooch Behar since 09.07.2021. The petitioners have applied for a mutual transfer as a special case citing the ground that the petitioners are posted far away from their respective house which has a recurring inconvenience effect. The application has been made on 21<sup>st</sup> October, 2024 to the Secretary, West Bengal Board of Primary Education (respondent no.4) and Chairman, District Primary School Council, Cooch

Behar. The prayer for mutual transfer made by the petitioners attracts transfer within the district. The competent authority to consider such transfer is the Chairman, District Primary School Council, Cooch Behar.

In the aforesaid facts and circumstances, without going into the merits of the application for mutual transfer, the instant writ petition is disposed of by directing the Chairman, District Primary School Council, Cooch Behar (respondent no.6) to consider and dispose of the application for mutual transfer made by the petitioners in accordance with law as expeditiously as possible but not beyond three months from the date of communication of this order. The said respondent no.6 shall pass a reasoned order and communicate the same to the petitioners immediately upon the same being passed. The respondent no.6, if necessary, shall invite documents to be submitted by the petitioners and give a personal hearing to them.

Nothing further remains to be adjudicated in this writ petition.

The writ petition is, accordingly, disposed of.

**(ARINDAM MUKHERJEE, J.)**