

22.09.2025

WPA 3876 of 2025

**Kalpana Roy
Vs.
The State of West Bengal & Ors.**

Mr. Shamim Ul Bari
Ms. Jhilik Singha
Ms. A. Mitra

... .. for the petitioner

Mr. Avishek Prasad

... .. for the DPSC, Malda

The petitioner claims an intra-district transfer from one school to another school on distance ground. The petitioner has submitted her representation dated 4th September, 2024 at page 20 to the writ petition, but the same has not been considered.

In view of the above, the respondent No.5, the Chairman, Malda District Primary School Council, upon issuing a prior hearing notice of at least seven days to the petitioner and after granting him an opportunity of hearing shall dispose of the representation dated 4th September, 2024 strictly in accordance with law.

All the procedures laid down under the relevant rules shall have to be followed strictly for considering the representation.

The entire exercise shall be carried out and completed by the respondent No.5, the Chairman, Malda District Primary School Council and/or any other relevant State authority positively within a period of

eight weeks from the date of communication of this order and the reasoned order shall be communicated to the petitioner within a period of two weeks from the date of the reasoned order to be passed.

In the event the reasoned order goes in favour of the petitioner, then the appropriate State authority shall take all necessary and consequential steps to give an immediate effect thereto but positively within a period of four weeks from the date of the reasoned order to be communicated to such authority.

It is made clear that, this Court has not gone into the merits of the claim of the petitioner and the petitioner shall be at liberty to urge all points he wishes to raise, by relying upon such records and documents as he may choose to place before the respondent No.5 but not beyond the scope of the said representation dated 4th September, 2024.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions this writ petition being WPA 3876 of 2025 stands disposed of.

However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon compliance of all requisite formalities.

(Rajarshi Bharadwaj, J.)