

08 12.08.2025
SM Court No.759

WPA 6629 of 2024

**Basudeb Pandit
Vs
The State of West Bengal & Ors.**

Mr. Sudipta Dasgupta
Ms. Dipa Acharyya
Mr. Sondwip Sutradhar

... for the petitioner

Mr. Bhaskar Prasad Vaisya
Mr. Gourav Das

... for the D.P.S.C., South 24-Parganas

Mr. Ratul Biswas
Mr. Kaushik Chowdhury

... for the W.B.B.P.E.

The Petitioner is an Assistant Teacher at Dhal Para F. P. School, a school under the D.P.S.C., South 24-Parganas, the respondent no.6 herein.

The petitioner is praying for a general transfer on the ground of distance and is a surplus teacher of his school.

The representation of the petitioner dated 15th January, 2024, is pending consideration before the Chairman, District Primary School Council, South 24-Parganas, the respondent no.7 herein. The said representation forms part of the writ petition, being Annexure 'P-9'.

Learned counsel appearing for the Secretary, West Bengal Board of Primary Education being the respondent no.5 in the instant application submits that

according to the provision of the Right of Children to Free and Compulsory Education Act, 2009 the petitioner has to make an application before the Secretary which is not made by the petitioner.

As this case relates to inter-district transfer, the Secretary, West Bengal Board of Primary Education being the respondent no.5 is directed to consider and dispose of the application if made by the petitioner in accordance with law within ten weeks from the date of making the application before the respondent no.5.

WPA 6629 of 2024 is disposed of with the above terms without any order as to costs.

Since no affidavit has been invited, the allegations contained in the writ petition are deemed to have been denied by the respondents.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Rajarshi Bharadwaj, J.)