

60 04.08.2025
SM Court No.759

WPA 6678 of 2025

**Satyajit Chakraborty
Vs
The State of West Bengal & Ors.**

Mr. Santanu Maji
Ms. Debrani Mondal

... for the petitioner

Mr. Saibal Acharyya
Mr. Tanweer J. Mandal

... for the Chairman, D.P.S.C., Purba Burdwan

Affidavit of service filed on behalf of the petitioner
is taken on record.

Petitioner is a primary teacher since 6th July,
2010 and working under Purba Bardhaman District
Primary School Council.

Petitioner by transfer application dated 19th
December, 2024 has prayed for transfer from his
present school in Purba Bardhaman to a school in
Hooghly preferably under Serampur Circle.

In support of the case made out in the writ
petition reliance is placed on amended Rule 5(3)(d) as
contained in notification dated 13th September, 2021
wherein it is provided that a teacher of age of 57 years
and more and willing for home district can make an
application for transfer.

Since petitioner has prayed for inter-district

transfer from a primary school in Purba Bardhaman to a primary school in Hooghly, Secretary, West Bengal Board of Primary Education being respondent no.4 is directed to decide the transfer application of the petitioner dated 19th December, 2024 by eight weeks from the date of communication of this order. While taking decision the respondent no.4 shall take a sympathetic view in consideration of the fact that present age of the petitioner is 57 years and at present petitioner is attending school in Purba Bardhaman from his residence at Hooghly. In addition thereto, amended Rule 5(3)(d) needs to be taken into consideration while taking decision relating to transfer of the petitioner by respondent no.4. Decision to be taken by respondent no.4 shall be communicated to the petitioner by ten days thereafter.

However, it is made clear that suspension of Utsashree portal shall not be a ground for rejecting the transfer application of the petitioner.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Rajarshi Bharadwaj, J.)