

W.P.A. 6816 OF 2025

**Susmita Chakraborty
Vs.
The State of West Bengal & Others**

Mr. Sabyasachi Chatterjee, Adv.
Mr. Badrul Karim, Adv.
Mr. Kiron Sk. Adv.
Mr. Aritra Ghosh, Adv.
Ms. Monalisha Sinha, Adv.

...for the Petitioner

Mr. Bhaskar Prasad Vaisya, AGP.
Mr. Sagnik Chatterjee, Adv.

...for the State

Mr. Subir Sanyal, Sr. Adv.
Mr. Ratul Biswas, Adv.
Mr. Kaushik Chowdhury, Adv.

...for D.P.S.C., Howrah

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

In the writ petition transfer order dated 20th
March, 2025 is assailed whereby petitioner has been
transferred from one primary school to another
primary school in the same District, Howrah.

Mr. Chatterjee, learned advocate representing
the petitioner submits that a notice of hearing was
issued on 21st February, 2025 by the Chairman,
District Primary School Council, Howrah disclosing
certain allegations against the Head Teacher and
primary teachers of the school of the petitioner based
on which decision was taken on 25th February, 2025 to
transfer the petitioner. According to the petitioner
notice dated 21st February, 2025 reflects certain
aspersions against running of the school where
petitioner is presently working and appropriate

disciplinary proceeding is required to be initiated against the petitioner. Without initiating appropriate proceeding against the petitioner, such transfer order dated 20th March, 2025 cannot be issued, which is punitive.

District Primary School Council, Howrah is represented by Mr. Sanyal, learned Senior Advocate who has opposed the writ petition upon placing reliance on Rule 4(a) of the West Bengal Primary Education (Transfer of Teachers including Head Teacher) Rules, 2002. It is further submitted that the transfer order dated 20th March, 2025 is not a punitive transfer order and petitioner has been transferred from one primary school to another primary school in the same District of Howrah and also the school where petitioner has been transferred situates nearby to the present school of the petitioner.

Having considered the rival submissions made on behalf of the parties, it appears that the District Primary School Council, Howrah is empowered to transfer a teacher of a primary school within the same district from one school to another in its own motion as provided under Rule 4(a) of the West Bengal Primary Education (Transfer of Teachers including Head Teacher) Rules, 2002.

Furthermore, a notice may have been issued dated 21st February, 2025 in order to grant opportunity to the petitioner to make deliberations before the concerned authority of the District Primary School Council, Howrah but the transfer order dated 20th March, 2025 does not attach stigma so far petitioner is concerned. It is spelt out in the transfer order dated 20th March, 2025 that in larger interest of primary education petitioner has been transferred.

In view of aforesaid discussions, this Court refuses to interfere with the transfer order dated 20th March, 2025.

Hence, writ petition stands dismissed.

However, this order shall not preclude the petitioner to prefer appeal challenging the transfer order dated 20th March, 2025 before the appellate authority, in accordance with law.

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

(Saugata Bhattacharyya, J.)