

**W.P.A. 7931 OF 2025**

**Tariq Iqbal  
Vs.  
The State of West Bengal & Others**

Mr. Sudip Ghosh Chowdhury, Adv.  
Ms. Shreyeta Mitra, Adv.  
Ms. Pritha Biswas, Adv.

...for the Petitioner

Mr. Sugata Shankar Roy, Adv.  
Ms. Tuhina Parvin, Adv.

...for the State

Mr. Avishek Prasad, Adv.  
Mr. Sourodeep Singha, Adv.

...for DPSC, Malda

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

Matter relates to transfer of the petitioner from  
one primary school to another primary school in the  
same district.

It is submitted by learned advocate  
representing the petitioner that on the date of  
preferring the application for transfer on general  
ground petitioner did not complete five years of  
continuous service as confirmed primary teacher.

West Bengal Primary Education (Transfer of  
Teachers including Head Teacher) Rules, 2002 has  
been amended *vide* notification dated 13<sup>th</sup> September,  
2021 and amended Rule 4(b) of the said Rules  
prescribes that in case of single transfer a confirmed  
primary teacher has to complete five years of  
continuous service. Therefore, amended Rule 4(b)

provides a pre-condition that in the event of transfer on general ground, applicant teacher needs to complete five years of service as a confirmed teacher.

In the present case, admittedly petitioner has not completed five years of service. Hence, no relief can be granted to the petitioner.

Writ petition stands dismissed.

There shall be no order as to costs.

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

**(Saugata Bhattacharyya, J.)**