

ML-166
17.11.2025
AGM

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 8775 of 2024

**Sarika Khatun
-versus
The State of West Bengal & Ors.**

**Mr. Sudip Ghosh Chowdhury.
Ms. Pritha Biswas.
...For the Petitioner.**

**Ms. Koyeli Bhattacharya.
...For the WBBSE.**

**Mr. Sunit Kumar Roy.
... For the SSC.**

1. The petitioner seeks transfer on the ground of his physical disability.

2. His application for transfer made in August 2021 stood rejected as he failed to complete five years of service at his present place of posting.

3. The petitioner refers to the amendment made in the transfer Rules published by the School Education Department on 21st December, 2021 which exempts teachers with physical disability to have completed overall five years of service at the present school.

4. It appears that the rejection of the prayer of the petitioner was earlier to the amendment made in the transfer Rules.

5. In view of the above, leave is granted to the petitioner to apply afresh seeking transfer.

6. The head of the Institution shall consider the application of the petitioner in terms of the prevailing Rule at the earliest but positively within a period of eight weeks from the date of making the application.

7. All consequential steps shall be taken in the matter by the respondent authorities strictly in accordance with the prevailing Rule without any further delay.

8. The writ petition stands disposed of.

9. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)