

20.05.2025
Court No. 18
Item No. 28
(Suvendu)

WPA 9452 of 2025

Srimati Trisita Saha Sarkar
-Versus-

The State of West Bengal & Ors.

Mr. Sanjib Kumar Mukhopadhyay
Md. Nasim Ali
Ms. Nargis Parveen
.....for the petitioner

Mr. Ratul Biswas
Mr. Kaushik Chowdhury
.....for the WBBPE

Mr. Moniruzzaman
Mr. Parijat Som
.....for the State

Mr. Sarwar Jahan
Sk. Nayeemul Haque
.....for the respondent no. 6

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

Petitioner prays for direction upon the
concerned authorities for transfer from a
primary school in one district to another primary
school in another district based on application
dated 27th March, 2025. However, it appears
that petitioner was mutually transferred from
one primary school to another primary school
vide mutual transfer order dated 2nd January,
2025 and petitioner joined the transferred post
on 6th February, 2025.

Since petitioner has been transferred vide transfer order dated 2nd January, 2025 she is not entitled to be transferred for the second time for a period of five years in terms of Rule 6(1) of the West Bengal Primary Education (Transfer of Teacher including Head Teacher) Rules, 2002. In Rule 6(1) it has been specifically provided that no teacher is eligible for transfer for a period of five years from the date of his/her last transfer. In the present case, petitioner joined the transferred post on 6th February, 2025. Therefore, transfer application which was made on 27th March, 2025 is not maintainable.

Hence no relief can be granted to the petitioner.

Writ petition stands dismissed.

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

(Saugata Bhattacharyya, J.)