

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

16
rkd 01.07.2025
Ct.18
Order

W.P.A. 12796 of 2025

Mirja Washim Raja

-vs-

The State of West Bengal & Ors.

Mr. Anjan Bhattacharya,
Ms. Anita Shaw

....for the petitioner.

Mr. Debjit Mukherjee,
Mr. Mihir Kundu

....for the State.

Mr. Avishek Prasad

....for the DPSC, Malda.

1. Affidavits-of-service and supplementary affidavit are filed today on behalf of the petitioner and same are taken on record.
2. Petitioner has made a prayer for his transfer on the ground of distance in between the present school of the petitioner and his place of residence.
3. On perusal of the writ petition and supplementary affidavit, it appears that first application seeking transfer was made on 29th May, 2025 addressed to the Chairman, District Primary School Council, Malda. However, said transfer application dated 29th May, 2025 does not bear receipt showing service upon the Chairman, District Primary School Council, Malda.
4. In the supplementary affidavit affirmed on 20th

June, 2025 another transfer application dated 19th June, 2025 is enclosed which according to the petitioner was sent to the concerned Sub-Inspector of Schools on 19th June, 2025. However, no tracking report is enclosed to the supplementary affidavit showing that transfer application dated 19th June, 2025 was received by the concerned Sub-Inspector of Schools.

5. In consideration of the facts narrated above, it appears that first application for transfer dated 29th May, 2025 does not bear receipt showing service upon Chairmen, District Primary School Council, Malda.
6. Second transfer application dated 19th June, 2025 which was sent to the concerned Sub-Inspector of Schools is found to be not received by the said Sub-Inspector of Schools since in support of same no tracking report is enclosed.
7. However, if Court proceeds on the premise that second transfer application dated 19th June, 2025 was received by the concerned Sub-Inspector of Schools i.e. after filing the writ petition on 12th June, 2025. Therefore, it transpires that before submitting transfer application before the respondent authority, writ petition was filed on 12th June, 2025.

8. Hence, no relief can be granted to the petitioner since the writ petition is found to be premature.
9. Writ petition stands dismissed.
10. However, there shall be no order as to costs.
11. Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)