

135 22.09.2025
SM Court No.759

WPA 18056 of 2025

**Fahamida Khatun
Vs.
The State of West Bengal & Ors.**

Mr. Sudipta Dasgupta
Mr. Sondwip Sutradhar

... for the petitioner

Mr. Ranjan Saha

... for the D.P.S.C., Paschim Medinipur

Mr. Ratul Biswas

Mr. Kaushik Chowdhury

... for the W.B.B.P.E.

Mr. Partha Sarathi Sen Sharma

... for the State

Affidavit of service filed in Court be kept with the
record.

Learned counsel for the petitioner submits that
the petitioner claims intra-district transfer from one
school to another school on self medical ground and
medical ground of minor child. The petitioner has
submitted her representation dated July 13, 2025 at
page 22 to the writ petition, but the same has not been
considered.

In view of the above, the respondent no.5 upon
issuing a prior hearing notice of at least seven days to
the petitioner and after granting her an opportunity of
hearing shall dispose of the representation dated July
13, 2025 strictly in accordance with law.

All the procedures laid down under the relevant

rules shall have to be followed strictly for considering the representation.

The entire exercise shall be carried out and completed by the respondent no.5 and/or any other relevant State authority positively within a period of ten weeks from the date of communication of this order and the reasoned order shall be communicated to the petitioner within a period of two weeks from the date of the reasoned order to be passed.

In the event the reasoned order goes in favour of the petitioner, then the appropriate State authority shall take all necessary and consequential steps to give an immediate effect thereto but positively within a period of six weeks from the date of the reasoned order to be communicated to such authority.

It is made clear that, this Court has not gone into the merits of the claim of the petitioner and the petitioner shall be at liberty to urge all points she wishes to urge by relying upon whatever records and documents she wishes to rely upon before the respondent no.4 but not beyond the scope of the said representation dated July 13, 2025.

It is made clear that, this order shall not create any right or equity in favour of the petitioner if the

petitioner does not succeed to her claim before the respondent no.5 strictly in accordance with law.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions this writ petition being WPA 18056 of 2025 stands disposed of.

However, 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.

(Rajarshi Bharadwaj, J.)