

WPA 18752 of 2025

**Swetadri Sarkar
Vs.
The State of West Bengal & Ors.**

Mr. Shuvro P. Lahiri
Mr. Rajesh Naskar
Mr. Ankan Mondal

... ... for the petitioner

Mr. Pratik Dhar
Ms. Madhurima Sarkar

... ... for the Madrasah Service Commission

Mr. Santanu Kumar Mitra
Mr. Amartya Pal

... ... for the State

Learned counsel appearing for the petitioner prays for a direction upon the West Bengal Madrasah Service Commission to grant transfer in favour of the petitioner in terms of Rule 33 and 34 of West Bengal Madrasah Service Commission Recruitment (Selection and Recommendation of Persons for Appointment and Transfer to the Posts of Teaching and Non-Teaching Staff) Rules, 2010.

The application made by the petitioner for transfer has been processed by the relevant Madrasah and is now pending before the District Inspector of Schools (S.E.), Nadia.

Mr. Dhar, learned Senior Counsel appearing for the West Bengal Madrasah Service Commission submits that the due process of law as prescribed in Rule 33 and 34 of the said Rule has to be followed before the application

made by the petitioner can be considered by the West Bengal Madrasah Service Commission.

Heard learned counsel for the parties.

The District Inspector of Schools (SE), Nadia is requested to follow the instructions as prescribed under the said Rules and act in accordance with law, before sending it to the Directorate of Madrasah Education and the said department shall forward the application to the West Bengal Madrasah Service Commission for final decision in the above issue. However, it is requested that the respondent authorities shall take such decision as early as possible because it relates to medical emergency of the petitioner and to act in accordance with law.

The writ petition is disposed of, however, no order as to costs.

Since no affidavit is called for, the allegations made in the writ petition are deemed to have been denied.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Rajarshi Bharadwaj, J.)