

07.01.2025
(M/L 93)
Ct.-19
(Susanta)

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

APPELLATE SIDE

W.P.A. 25397 of 2024

Indrajit Biswas

-Vs-

The State of West Bengal & Ors.

Mr. Golam Mastafa,
Mr. Tarasankar Samanta,

...For the Petitioner.

Mr. Mrityunjoy Goswami,
Mr. Bisnupada Jana,

.... For the State.

Mr. Avishek Prasad,

.... For the DPSC (Malda).

Affidavit of service filed on behalf of the petitioner be
kept with the record.

Mr. Avishek Prasad, learned advocate for the District
Primary School Council, Malda (DPSC Malda in short) files
the instruction of his client; let it be kept with the record.

The petitioner is an Assistant Teacher at Dakshin
Jalalpur Primary School under Kharba-II Circle of DPSC
Malda.

The petitioner is praying general transfer to his home
district, Nadia on the ground that his parents are aged and
ailing, and there is no one in the family to look after them;
as such, the presence of the petitioner in his house is
necessary.

The petitioner has not yet completed minimum five
years of continuous service; as such, in terms of the
amended Clause B of Rule 4 of the West Bengal Primary
Education (Transfer of Teachers including Head Teacher,
Rules, 2002), is not eligible to apply for such transfer.

The DPSC Malda has filed a report regarding the
Pupil-Teacher Ratio of the schools of the District

wherefrom it appears that the said school has a roll strength of 389 students, having eleven teachers including the Head Teacher; the PTR is 35.36, i.e., almost normal, which would be disturbed if the prayer of the petitioner is allowed; besides, the grounds on which the transfer has been sought for, does not appear to be convincing.

WPA 25397 of 2024 is therefore dismissed without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)