

13.01.2025
(D/L 20)
Ct.-19
(Samar)

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

APPELLATE SIDE

W.P.A. 31105 of 2024

Md. Piya Ali

-Vs-

The State of West Bengal & Ors.

Mr. Anjan Bhattacharya,
Ms. Anita Shaw,
Ms. Salma Sultana,

...For the Petitioner.

Mr. Ratul Biswas,
Mr. Kaushik Chowdhury,

... For the WBBPE.

Mr. Avishek Prasad,
Mr. Sourodeep Singha,

.... For the DPSC (Malda).

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

The petitioner is an Assistant Teacher at
Jagannath MGD Primary School, a school under
Chanchal Circle of Malda District Primary School
Council, the respondent no. 6 herein.

The petitioner is complaining that as the school
is 145 km away from his residence, he is unable to take
care of his 100% blind daughter and on the said
ground, is praying general transfer to any school
nearer to his residence under the same council.

The ground on which the petitioner is praying
transfer *prima facie* appears to be convincing, as
such, his prayer is required to be considered.

The petitioner, praying such transfer, has given a
representation to the West Bengal Board of Primary

Education, the respondent no. 4 herein. The petitioner since is praying intra-district transfer, the respondent no. 4 is not the competent authority to consider his prayer, he is required to apply for such transfer to the respondent no. 6.

Leave, therefore is granted to the petitioner to submit a fresh representation, praying such transfer, before the Chairman of the said Council, the respondent no. 7 herein within a period of one week from date.

If such a representation is submitted within the said period, the said respondent shall consider and dispose of the said representation, expeditiously in accordance with law, preferably within a period of four weeks from the date of receipt of it.

W.P.A 31105 of 2024 is disposed of with the above terms 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.)