

11.08.2025

WPA 31042 of 2024

**Mantajul Khan
Vs.
The State of West Bengal & Ors.**

Mr. Santanu Maji
Ms. Debrani Mondal

... .. for the petitioner

Mr. Avishek Prasad

... .. for the DPSC, Malda

Mr. Rabindra Nath Paul
Mr. Alok Banerjee

... .. for the State

Affidavit of service filed on behalf of the petitioner
is taken on record.

Learned counsel for the petitioner submits that
the petitioner claims intra-district transfer from one
school to another school on medical ground of his
spouse. The petitioner has submitted his representation
dated 26th November, 2024 at page 26 to the writ
petition, but the same has not been considered.

In view of the above, the respondent No.6 upon
issuing a prior hearing notice of at least seven days to
the petitioner and after granting him an opportunity of
hearing shall dispose of the representation dated 26th
November, 2024 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.6 and/or any other

relevant State authority positively within a period of eight 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 four 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.6 but not beyond the scope of the said representation dated 26th November, 2024.

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 his claim before the respondent No.6 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 31042 of 2024 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.)