

45 03.03.2025
NB Ct. 02

Calcutta High Court
In The Circuit Bench At Jalpaiguri
Appellate Side

WPA 433 of 2025

Saifulla Kobir
Vs.
The State of West Bengal & Ors.

Mr. Subhro Prakash Lahiri,
Mr. Debajit Kundu.
...for the petitioner.

Mr. Pretom Das,
Mr. Pradip Sarkar
...for the State.

Mr. Bikramiditya Ghosh
...for the WBBPE.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a primary school teacher. He prayed for transfer on special ground. Among other things, his child is suffering from thalassemia. There is also the issue of distance between the place of work and the residence. The question of five years' bar would not be applicable here as the transfer is being sought on special ground.

Learned counsel appearing on behalf of the West Bengal Board of Primary Education submits that the prayer has to be considered by the Secretary of the Board. But, in the instant case, a prayer has been made before the President.

In view of the above, let the petitioner make a fresh application/prayer for transfer on special ground before the Secretary of the West Bengal Board of Primary Education. If the same is made within two weeks from this date, the concerned Secretary shall consider the application in accordance with law and pass a reasoned order expeditiously, preferably within a period of eight weeks from the date of communication of this order.

With these observations, the writ petition is disposed of.

As affidavits were not called for, allegations contained in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)