

11.06.2025
Sl. No.17
tkm

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

W. P. A. 1176 of 2025

[Mamata Singh @ Mamta Singh -Vs- State of West Bengal & Ors.]

Mr. Sanjay Mazoomdar
... .. for the petitioner

Mr. Subir Kr. Saha
Mr. Sumit Kumar
... for the State

1. The affidavit of service is taken on record.
2. The petitioner has preferred the present writ petition, being aggrieved by the alleged inaction on the part of the respondent authorities in not considering her application dated 19.9.2024, wherein she sought transfer on medical grounds.
3. It is the case of the petitioner that she is working as headmistress in Khoribri JR Hindi High School situated at Khoribri, Darjeeling from 18.7.2019. It is further contended that she is working at a school which is more than 46 km away from her present residence and she needs to travel almost 96 km daily to perform her duties as headmistress. She has been diagnosed with B/L OA knee C lumber spondylosis and entrapment Neuropathy. She has been medically advised to avoid long road journey in sitting position. Hence, the petitioner had applied for transfer vide offline application dated 7.6.2024 to

respondent no. 7 and offline application dated 15.6.2024 to respondent no. 5.

4. Learned counsel for the petitioner submits that till date the respondent authority has not considered her application.

5. At this stage, learned counsel for the State has produced a copy of the order dated 01.04.2025 passed in WPA 215 of 2025, wherein the petitioner had sought substantially similar relief. In that matter, the writ petition was disposed of with liberty granted to the petitioner to submit a prayer for transfer through the school where she is currently employed. Notably, the petitioner has failed to disclose the existence of the said proceeding in the present writ petition. This omission amounts to a suppression of material facts. There is no averment indicating that the petitioner had earlier approached this Court by filing WPA 215 of 2025 on the same grounds, namely, for a direction upon the respondent authority to consider her representation dated 19.09.2024.

6. The reliefs sought in the present writ petition are identical to those prayed for in the earlier writ petition. Despite being fully aware of the previous proceedings and the order dated 01.04.2025, the petitioner has chosen not to bring the same to the

notice of this Court. Such non-disclosure is both deliberate and material.

7. In view of the above, and having regard to the suppression of material facts, this Court is not inclined to entertain the present writ petition. It is well settled that a litigant who approaches the Court must do so with clean hands and full disclosure.

8. Furthermore, it is evident that the learned counsel appearing for the petitioner has consciously withheld disclosure of the earlier writ petition. Such conduct is unbecoming of a member of the Bar and falls short of the ethical and professional standards expected in the practice of law. However, this Court refrains, for the present, from passing any further remarks or directions concerning the said conduct.

9. Accordingly, the present writ petition is dismissed.

(Gaurang Kanth, J.)