

Item no. 19
20.08.2025
Ct. 02
sayandeep

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 1692 of 2025

**Suparna Chakraborty
versus
State of West Bengal & Ors.**

**Mr. Pratip Mukherjee
Mr. Sakir Hossain
...For the Petitioner.**

**Mr. Hirak Barman
Mr. Sourav Sarkar
....for the State**

**Mr. Bikramaditya Ghosh
...for the WBBPE**

**Mr. Tara Prasad Halder
Mr. Subhasish Misra
....for the respondent No. 5**

1. The instant writ petitioner has been filed , inter alia, praying for consideration of the petitioner's representation for transfer dated 28th June, 2025. The petitioner is an Assistant Teacher at Malgachh Primary School. According to the petitioner, the distance between the petitioner's residence and the school where the petitioner is imparting education is approximately 511 kilometers. The petitioner would also submit that she has aged ailing parents.
2. Having heard the learned advocates appearing for the respective parties and noting from the submissions of the parties that online portal

“Utsashree” has remained suspended, I am of the view without going into the issue as to whether the petitioner’s case warrants transfer, the petitioner’s application for being considered for transfer in terms of the West Bengal Primary School Education (Transfer of Teachers including Head Teachers) Rules, 2002 (hereinafter referred to as the said Rules) cannot be denied simply because the portal has remained suspended. Since the Rules confer a right to the petitioner for consideration of transfer, the petitioner’s application for transfer cannot be kept pending. The petitioner has a right to know the outcome of her application.

- 3.** Further since, the online portal has been suspended, there cannot be any embargo on the part of the respondent No. 3 to accept /consider the petitioner’s application for transfer in offline mode.
- 4.** In view thereof, I direct the respondent No. 3 to consider the petitioner’s application for transfer on medical ground in terms of the said Rules and for the said purpose, the respondent No. 3 shall seek a report from the concerned Chief Medical Officer and if, the petitioner is found eligible, to take appropriate steps for effectuating such transfer.

5. It is expected that the entire process should be completed within a period of twenty weeks from the dated of communication of this order.
6. With above observations and directions, the writ petition is disposed of.
7. There shall be no order as to costs.
8. Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Raja Basu Chowdhruy, J.)