

Form No. J.(2)
Item No. 44
AB

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side**

Present:

The Hon'ble Justice Aniruddha Roy

W.P.A. 1890 of 2025

Debendu Dutta Modak
Vs.
The State of West Bengal & Ors.

For the petitioner	:	Mr. Santanu Maji, Advocate (VC) Mr. Jagesh Chandra Roy, Advocate
For the State	:	Ms. Bedashruti Bose, Advocate Mr. Pradip Sarkar, Advocate
For the Primary Board	:	Mr. Bikramaditya Ghosh, Advocate Mr. Mayank Bhandari, Advocate
For DPSC, Cooch Behar	:	Ms. Mousumi Bhowal, Advocate (VC) Mr. Nigam Mittal, Advocate
Heard on	:	September 10, 2025
Judgment on :	:	September 10, 2025

Aniruddha Roy, J.

Affidavit of service filed in Court today, is taken on record.

The petitioner is working as an Assistant Teacher of a Primary School. The petitioner seeks inter-district transfer on medical ground of his wife. The petitioner has submitted his representation dated **July 03, 2025, annexure P-5 at page 21** to the writ petition but the same has not yet been decided.

In view of the above, the respondent no. 3 upon issuing a prior hearing notice of at least **seven days** to the petitioner and after granting him an opportunity of hearing shall decide the representation dated **July 03, 2025, annexure P-5** at **page 21** to the writ petition, by passing a reasoned order in accordance with law.

The entire exercise shall be carried out and completed by the respondent no. 3 positively within a period of **six weeks** from the date of communication of this order. The reasoned order shall be communicated to the petitioner within a further period of **one week** from the date of the said reasoned order to be passed.

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 whatever points he wishes to urge by relying upon whatever records and documents he wishes to rely upon before the respondent no. 3.

In the event, the reasoned order goes in favour of the petitioner, the respondent no. 3 and/or any other appropriate authority or authorities shall take steps to give an immediate effect to the said reasoned order but positively within a period of **four weeks** from the date of communication of the said reasoned order.

It is also 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. 3 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 **W.P.A. 1890 of 2025** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)