

19.03.2026
Sl. No.16
Ct. No.14
ss

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 561 of 2025

**Mitali Swarnakar
Versus
The State of West Bengal & Ors.**

Mr. Biswajit Tiwari	...for the Petitioner.
Mr. Avishek Prasad	...for the DPSC, Malda.
Mr. Pinaki Dhole	
Ms. Indrani Nandi	 for the State

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. By the present writ petition, the petitioner seeks for direction upon the respondent authority to grant her intra district transfer to any school nearby her residence upon considering the representation dated 26th December, 2024.
3. The petitioner contends that she joined as an Assistant Teacher in Pirgachhi Primary School under Habibpur Circle District Malda on 16th February, 2017. The petitioner has been confirmed in service with effect from 16th February, 2019. The petitioner has also completed five years of service. The petitioner's residence is situated about 38 kilometers away from her present place of posting. The petitioner is suffering from certain gynaecological and anatomical problems. On 26th December, 2024 the petitioner made a

representation for her transfer before the Chairman, District Primary School Council, Malda, respondent no.5. However, the same is still pending consideration. Hence, this writ petition.

4. Mr. Biswajit Tiwari, learned Advocate appearing on behalf of the petitioner submits that the matter may be relegated to the Chairman, District Primary School Council, Malda, respondent no.5 to consider the representation of the petitioner dated 26th December, 2024.
5. Mr. Avishek Prasad, learned Advocate appearing on behalf of the District Primary School Council, Malda leaves the matter to the discretion of this Court.
6. In view of the submissions advanced on behalf of the respective parties, the respondent No.5, the Chairman, District Primary School Council, Malda is directed to consider the representation of the petitioner dated 26th December, 2024 and dispose of the same by passing a reasoned order, in accordance with law, upon notice to the petitioner, within a period of ten weeks from the date of communication of this order.
7. The respondent no.5, the Chairman, District Primary School Council, Malda shall be at liberty to seek for medical examination of the petitioner before considering the representation of the petitioner, if so required.

8. The reasoned order is to be communicated to the petitioner within one week from the date of passing of such order.
9. Learned advocate for the petitioner is directed to communicate this order to the respondent no.5, the Chairman, District Primary School Council, Malda.
10. With the above direction, the writ petition being **WPA 561 of 2025** stands disposed of.
11. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
12. Interim order, if any, stands vacated.
13. All connected applications, if any, stand disposed of.
14. There shall be no order as to costs.
15. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
16. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)