

21.05.2026
Item No. 07
Ct. No. 14
AN

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

**WPA 708 of 2026
Nasim Javed Mallick
vs.
State of West Bengal & ors.**

Mr. Santanu Maji
Ms. Debrani Mondal

... for the petitioner

Mr. Ranjan Saha

... for DPSC, Paschim Medinipur

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 authorities for intra-district transfer to a school nearby his residence on medical ground of his spouse.
3. The petitioner contends that he joined as an Assistant Teacher in Birsingpur, District Paschim Medinipur on 11th February, 2017. The petitioner has been confirmed in service with effect from 11th February, 2019. On 23rd February, 2022, the petitioner got mutually transferred to Kalagram Primary School, Village Kalagram, Police Station Keshpur, Paschim Medinipur. The petitioner seeks for intra-district transfer on medical ground of his spouse. The petitioner's house is situated 47 kms.

away from his present place of posting. On 19th December, 2025, the petitioner made a representation before the authority concerned seeking his transfer. However, the same is still pending consideration. Hence this writ petition.

4. Mr. Santanu Maji, learned advocate appearing for the petitioner submits that the wife of the petitioner is suffering from various gynaecological problems. He seeks that the matter be relegated to the appropriate authority for taking a decision in respect of the representation of the petitioner dated 19th December, 2025.
5. Mr. Ranjan Saha, learned advocate appearing for the respondent District Primary School Council, Paschim Medinipur submits that the petitioner got transferred mutually in the year 2022. As per Rule 6 of the West Bengal Primary Education (Transfer of Teachers including Head Teacher) Rules, 2002 as amended, the application cannot be entertained as 5 years have not been elapsed from the date of transfer.
6. Rule 6 of the said Rules, 2002 (amended) provides that no teacher shall be eligible for transfer before completion of five years from the date of transfer. The petitioner got mutually transferred on 23rd February, 2022. The application seeking transfer has been made on 19th December, 2025, Thus, it is

found that the application seeking transfer has been made within a period of 5 years from the date of transfer. Hence, the writ petition falls short of merit.

7. Accordingly, the writ petition being **WPA 708 of 2026** stands dismissed.
8. Since no affidavits have been called for, the allegations made in the writ petition are deemed to be not admitted.
9. Consequently, connected applications, if any, also stand disposed of.
10. Interim orders, if any, stand vacated.
11. There will be no order as to costs.
12. Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Bivas Pattanayak, J.)