

**08/04
2026**

**AD/30/24
266312
NANDY**

(DO)

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

WPA/3754/2023

SAMIR KUMAR BISWAS

Vs.

THE STATE OF WEST BENGAL & ORS.

Mr. Anjan Bhattacharya, Advocate

Ms. Anita Shaw, Advocate

Ms. Seema Thakur, Advocate

.....for the Petitioner

Mr. Gausul Alam , Advocate

Mr. Md. Yusuf Ali, Advocate

.....for the State

1. Affidavit of service, as filed, be kept with the record.
2. In spite of service, there is no representation on behalf of the School Authorities.
3. The petitioner's application for transfer on spouse's medical ground has been rejected by the concerned District Inspector of Schools on the ground that the ailment of the spouse does not fall within the enlisted category as stipulated in the Rule 4a of the Notification dated 08.09.2021.
4. Mr. Bhattacharya, learned Advocate for the petitioner submits that even though the ailment is not an enlisted one, the petitioner still has to travel almost 150 kilometers a day to attend to his services in the said School. This by itself can be construed as a ground for transfer.
5. In view of the afore-stated submission of Mr. Bhattacharya, the petitioner will be at liberty to make a fresh application on his own seeking on the ground of distance with the School Authorities, if so advised.
6. The School Authority will consider the application of the petitioner and expedite the same for onward progression to facilitate the transfer of the petitioner.

7. With the afore-stated direction, the writ-petition is **disposed of**. No order as to costs.
8. Urgent Photostat Certified copy of this order, be given to the parties, if applied for, on priority basis.

(Reetobroto Kumar Mitra, J.)