

26.02.2026
Sl. No.9
Ct. No.14
gd

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

WPA/4025/2026
RUNA KHATUN
VS
STATE OF WEST BENGAL AND ORS.

Mr. Dhiraj Kumar Trivedi, Id. Sr. Adv.
Mr. Kingsuk Mondal
Mr. Suman Das

...for the Petitioner.

Mr. Ratul Biswas
Mr. Kaushik Chowdhury

...for WBBPE.

Mr. Biswabrata Basu Mallick
Mr. Biman Halder
Mr. Amman Arif Ansari

...for DPSC, Uttar Dinajpur.

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 to take a decision regarding transfer of the petitioner on medical ground.
3. Mr. Dhiraj Kumar Trivedi, learned Senior Advocate appearing on behalf of the petitioner submits that previously an order was passed by this Hon'ble court in WPA 1197 of 2025 on 8th January, 2026 directing the Chairman, District Primary School Council, Uttar Dinajpur, to consider the representation of the petitioner. Pursuant thereto, a reasoned order has been passed on 29th January, 2026 by the said

authority observing that it did not have the authority to pass any order of transfer in case of inter district transfer in view of provisions of Section 19(1)(K) of the West Bengal Primary Education Act, 1973 as well as Rule 8 of the West Bengal Primary Education (Transfer of teachers including Head Teacher) Rules, 2002. The Secretary, West Bengal Board of Primary Education is the appropriate authority to consider the prayer for inter district transfer. He seeks for necessary direction.

4. Both the learned advocates representing WBBPE and DPSC, Uttar Dinajpur submit that matter be relegated to the appropriate authority for due consideration.
5. In view of such submission, the respondent No.3, Secretary, West Bengal Board of Primary Education is directed to consider the representation of the petitioner dated 23rd October, 2024 and dispose of the same in accordance with law upon notice to the petitioner by passing a reasoned order, within a period of twelve weeks from the date of communication of this order.
6. The reasoned shall be communicated to the petitioner within one week from the date of passing of such reasoned order.
7. Respondent No.3 shall be at liberty to seek medical examination of the petitioner prior to consideration of the representation of the petitioner, if so required.
8. Learned advocate for the petitioner is directed to communicate this order to the respondent no.3,

Secretary, West Bengal Board of Primary Education,
for necessary action.

9. With the above direction, the writ petition being **WPA 4025 of 2026** stands disposed of.
10. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
11. Interim order, if any, stands vacated.
12. All connected applications, if any, stand disposed of.
13. There shall be no order as to costs.
14. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
15. 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.)