15.10.2026
Sl. No.1(DL)
Ct. No.14
srm

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

**W.P.A. No. 5851 of 2026**

**Soumen Bakhara**
**Versus**
**The State of West Bengal & Ors.**

Mr. Somesh Kumar Ghosh,
Mr. Suman Mukherjee
...for the Petitioner.

Mr. Sourav Sengupta,
Ms. Sneha Chatterjee
... for the State.

Mr. Ratul Biswas,
Mr. Koushik Chowdhury
... for the WBBPE.

Mr. Avishek Prasad,
Ms. Shreyasi Manna
...for the DPSC, Malda.

1. By the present writ petition, the petitioner seeks direction upon the respondent authorities to grant inter-district transfer to the petitioner from his present place of posting in the district of Malda to a school in the district of Paschim Medinipur on spouse medical ground.

2. The petitioner contends that he joined as an Assistant Teacher in Gobindapara Primary/Junior Basic School under Kharba-II Circle under Malda District Primary School Council, District-Malda on 19th July, 2021. The petitioner has completed two years of continuous service. The petitioner's wife is suffering from various gynaecological ailments for a considerable period of time. On 6th February, 2026, the petitioner made a representation before the authority concerned for his transfer on spouse medical ground. However, the said

representation is still pending consideration. Hence, this writ petition.

3. Mr. Somesh Kumar Ghosh, learned Advocate appearing on behalf of the petitioner submits that the matter may be relegated to the appropriate authority for consideration of the representation of the petitioner for his transfer on spouse medical ground, in accordance with law. He files a copy of the corrigendum issued by the Chairman, Malda District Primary School Council dated 5th October, 2026 wherefrom it appears that petitioner has been confirmed in service with effect from 19th July, 2023.

4. Learned Advocates for the Board, Council and State submit that the *Utsashree* portal is presently functional and the petitioner should file such application seeking transfer through *Utsashree* portal under the existing rules.

5. To this, Mr. Ghosh, learned advocate appearing for the petitioner submits that the *Utsashree* portal is not functional as yet.

6. In view of the above, liberty is granted to the petitioner to file application through *Utsashree* portal seeking transfer. In the event, the petitioner is unable to submit such application through *Utsashree* portal, the respondent No.4, the Secretary, West Bengal Board of Primary Education is directed to consider the representation of the petitioner dated 6th February, 2026 and dispose of the same, upon giving notice to the petitioner, by passing a reasoned order in accordance with law, within a period

of eight weeks from the date of communication of this order, subject to production of medical documents of the wife of the petitioner.

7. The reasoned order is to be communicated to the petitioner within one week from the date of passing of such order.
8. With the above direction, the writ petition being **WPA 5851 of 2026** stands disposed of.
9. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
10. Interim order, if any, stands vacated.
11. All connected applications, if any, stand disposed of.
12. There shall be no order as to costs.
13. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
14. 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.)**