

08.01.2026
Sl. No.23
Ct. No.14
gd

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

WPA/6239/2025
ABDUR RAHIM
VS
STATE OF WEST BENGAL AND ORS.

Mr. Himadri Sekhar Chakraborty
...for the Petitioner.

Mr. Arindam Chattopadhyay
Mr. Soumik Dey
...for the State.

Mr. Avishek Prasad
Mr. Sourodeep Singha
...for DPSC, Malda.

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. By the present writ petition the petitioner seeks direction upon the respondent authorities to transfer the petitioner to a nearby school upon considering the representation of the petitioner dated 1st February, 2025 in accordance with West Bengal Primary Education (Transfer of Teachers including Head Teacher) Rules, 2002.
3. The petitioner contends that the petitioner is an Assistant Teacher of Serpur Mokdampur STP Primary School, Malda, Kharba-I Circle. The petitioner joined in the school as Assistant Teacher on 11th August, 2018. The service of the petitioner was confirmed on

12th October, 2023. The petitioner has to travel 101 Kilometers to attend his school. The wife of the petitioner is suffering from severe gynaecological problem. The mother of the petitioner is suffering from multi-level lumbar spondylosis. On 1st February, 2025 the petitioner made a representation before the Chairman, District Primary School Council, Malda seeking transfer. However, the same is kept pending. Hence this writ petition.

4. Mr. Himadri Sekhar Chakraborty, learned advocate appearing for the petitioner submits that the appropriate authority be directed to consider the representations of the petitioner for his transfer in accordance with law.
5. Mr. Avishek Prasad, learned advocate appearing for the District Primary School Council, Malda submits that the representation dated 1st February, 2025 be directed to be considered by the Chairman, District Primary School Council, Malda.
6. Learned advocate for the State leaves the matter to the discretion of the Court.
7. In view of the submissions advanced on behalf of the respective parties, respondent no.6, Chairman, District Primary School Council, Malda is directed to consider and dispose of the representation of the petitioner dated 1st February, 2025 by passing a reasoned order upon notice to the petitioner in accordance with law within a period of six weeks from

the date of communication of this order. The reasoned order shall be communicated to the petitioner within one week from passing thereof.

8. Learned advocate for the petitioner is directed to communicate this order to respondent no.6, Chairman, District Primary School Council, Malda, for necessary compliance.
9. With the aforesaid directions, the writ petition being **WPA 6239 of 2025** is 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.)