

22.01.2026
Sl. No.43
Ct. No.14
gd

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

WPA/6246/2025
PAYEL CHAKRABORTY
VS
STATE OF WEST BENGAL AND ORS.

Mr Himadri Sekhar Chakraborty
...for the Petitioner.

Ms. Anima Das Chakraborty
...for the State.

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

1. Affidavit of service filed by the petitioner is taken on record.
2. By the present writ petition the petitioner seeks direction upon the respondent authorities to grant transfer of the petitioner to a school nearby her residence upon consideration of her representation dated 3rd January, 2025.
3. The petitioner contends that she is an Assistant Teacher in Agampur Primary/Junior School, Malda under Pandua Circle. The petitioner joined in the school on 4th February, 2017. The petitioner is suffering from severe asthma problem. The petitioner has to travel 140 Kilometers to attend her school. On 3rd January, 2025 the petitioner made a representation before the Chairman, District Primary School Council, Malda

seeking transfer. However, the same is still pending consideration. 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 representation of the petitioner for her transfer in accordance with law.
5. Mr. Avishek Prasad, learned advocate appearing for the District Primary School Council, Malda submits that the representation of the petitioner dated 3rd January, 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 the representation of the petitioner dated 3rd January, 2025 dispose of the same in accordance with law by passing a reasoned order upon notice to the petitioner within a period of eight weeks from the date of communication of this order.
8. The reasoned order shall be communicated to the petitioner within one week from passing thereof.
9. Respondent no.6 shall be at liberty to seek medical examination of the petitioner, if so required, prior to consideration of such representation.

10. Learned advocate for the petitioner is directed to communicate this order to respondent no.6, Chairman, District Primary School Council, Malda, for necessary compliance.
11. With the aforesaid directions, the writ petition being **WPA 6246 of 2025** stands disposed of.
12. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
13. Interim order, if any, stands vacated.
14. All connected applications, if any, stand disposed of.
15. There shall be no order as to costs.
16. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
17. 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.)