

05.02.2026
Sl. No.17
Ct. No.14
gd

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

WPA/7258/2025
SHANKARI BISWAS
VS
STATE OF WEST BENGAL AND ORS.
IA NO: CAN/1/2025

Mr. Arnab Saha
Mr. Abhimanyu Banerjee
Mr. Santanu Sett

...for the Petitioner.

Mr. Jayanta Samanta
Mr. Keshab Chandra Das

...for the State.

Mr. Avishek Prasad
Ms. Richa Pramanik

...for DPSC, Malda.

1. Affidavit of service filed by the petitioner is taken on record.
2. Leave is granted to learned advocate for the petitioner to correct the nomenclature of respondent no.5 which should be "*Chairman, District Primary School Council, Malda*" instead of "*Chairman-cum-Secretary, District Primary School Council, Malda*".
3. By the present writ petition the petitioner seeks for intra district transfer to a school nearby her residence.
4. The petitioner contends that she is an Assistant Teacher of Mulaibari Primary School, Village- Mulaibari, Post Office-Mulaibari, Police Station-Chanchal, District-Malda. The petitioner joined the said school on 19th February, 2021. The petitioner has been confirmed in

service with effect from 19th February, 2023. The petitioner is suffering from various gynecological complexities, which has resulted in spree of miscarriages on multiple occasions and she is currently been compelled to undergo IVF treatment. The petitioner has to travel 100 Kilometers (up and down) to attend her school. On 20th January, 2025 the petitioner made a representation before respondent no.4, District Primary School Council, Malda and other authorities seeking transfer. However, the same is still pending consideration. Hence this writ petition.

5. Mr. Arnab Saha, learned advocate appearing through virtual mode for the petitioner submits that the matter be relegated to the appropriate authority for consideration of the representation of the petitioner for her transfer in accordance with law.
6. Mr. Avishek Prasad, learned advocate appearing for the District Primary School Council, Malda as well as Mr. Jayanta Samanta, learned advocate appearing for the State leave the matter to the discretion of the Court.
7. In view of the submissions advanced on behalf of the respective parties, respondent no.5, Chairman cum Secretary, District Primary School Council, Malda is directed to consider the representation of the petitioner dated 20th January, 2025 and dispose of the same by passing a reasoned order in accordance with law 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.5 is granted liberty to seek medical examination of the petitioner, if so required, prior to consideration of representation of the petitioner.
10. Learned advocate for the petitioner is directed to communicate this order to respondent no.5, Chairman cum Secretary, District Primary School Council, Malda, for necessary compliance.
11. With the aforesaid directions, the writ petition being **WPA 7258 of 2025** stands disposed of.
12. Consequently, **CAN 1 of 2025**, for early hearing of the matter, also stands disposed of.
13. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
14. Interim order, if any, stands vacated.
15. All connected applications, if any, stand disposed of.
16. There shall be no order as to costs.
17. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
18. 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.)