

02.04.2026  
Sl. No.10  
Ct. No.14  
ss

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

**W.P.A. No. 7080 of 2026**

**Debasis Mondal  
Versus  
The State of West Bengal & Ors.**

Mr. Anindya Bose  
Mr. Santanu Maji  
Mr. Subhayu Das  
Mr. Mridul Biswas  
Ms. Debrani Mandal  
Ms. Raina Das

...for the Petitioner

Mr. Kamal Mishra  
Mr. Kaushik Chowdhury

... for the DPSC, Purba Medinipur

Mr. Tapas Kr. Roy

... for the State

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 no.5, Sub-Inspector of Schools, Bhagwanpur-I Circle, Purba Medinipur to issue the release order in favour of the petitioner in terms of the transfer order issued by the competent authority.

3. Petitioner contends that he joined as a Head Teacher in Bajaberia Board Primary School, P.O. Bajaberia, District Purba Medinipur on 12<sup>th</sup> October, 2023. Pursuant to an application of the petitioner he has been transferred as Head Teacher from Bajaberia Board Primary School to Amratala Jana Kalyan Board Primary School under Bhagwanpur-I Circle within the jurisdiction of said District Primary School Council and

was asked to join the school where the petitioner has been transferred within 15 working days from the date of issue of the memo. However, no release order has been issued from the office of the Sub-Inspector of Schools, Bhagwanpur-I Circle, Purba Medinipur, respondent no.5 to enable the petitioner to join his new place of posting. Hence, this writ petition.

4. Mr. Anindya Bose, learned Advocate appearing on behalf of the petitioner submits that as per sub-rule (6) and (7) of Rule 5 of the West Bengal Primary Education (Transfer of Teachers including Head Teacher) Rules, 2002 the Sub-Inspector of Schools is under statutory obligation to issue release order in favour of the teachers so transferred immediately with a direction to join the new place of posting. The Sub-Inspector of Schools, Bhagwanpur-I Circle, Purba Medinipur, respondent no.5 has not acted in terms of the aforesaid Rules. The petitioner has made a representation before the Chairman, District Primary School Council, Purba Medinipur on 5<sup>th</sup> March, 2026 for redressal of his grievance. He seeks for relegating the matter to the authority concerned.

5. During the course of hearing, Mr. Kaushik Chowdhury, learned Advocate representing the District Primary School Council, Purba Medinipur informs that on the account of declaration of General Election to the West Bengal Legislative Assembly, 2026 and simultaneous running of S.I.R. process, the transfer order is called back until further orders. However, the

authority is willing to consider the representation of the petitioner for his release after conclusion of ensuing General Election to the West Bengal Legislative Assembly, 2026. He files a copy of office memorandum dated 30.03.2026 of Chairman, DPSC, Purba Medinipur, which is taken on record.

6. Mr. Tapas Kr. Roy, learned advocate for the State respondents also submits in the similar fashion.

7. In view of such submission, respondent no.4, the Chairman, Purba Medinipur District Primary School Council is directed to consider the representation of the petitioner dated 5<sup>th</sup> March, 2026 and dispose of the same, upon notice to the petitioner, in accordance with law, within a period of three weeks from the date of conclusion of ensuing General Election to the West Bengal Legislative Assembly, 2026.

8. With the above direction, the writ petition being **WPA 7080 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.)**