01.10.2026
Sl. No.14(DL)
Ct. No.14
srm

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 7807 of 2026

Pabon Sarkar
Versus
The State of West Bengal & Ors.

Mr. Santanu Maji,
Mr. Subhayu Das,
Ms. Debrani Mondal
...for the Petitioner.

Mr. Sourav Sengupta,
Mr. N. P. Singh
... for the State.

Mr. Ratul Biswas,
Mr. Koushik Chowdhury,
Ms. Soumoyadipa Kanu
... for the WBBPE.

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

Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee
...for the DPSC, Nadia.

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 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 Nadia on spouse medical ground.

3. The petitioner contends that he joined as an Assistant Teacher in Amdolghat Primary School under Malda District Primary School Council, District-Malda on 19th February, 2021. The petitioner completed two years of continuous service. The petitioner's wife is suffering from several gynaecological diseases like Bulky Uterus and Polycystic Ovarian Syndrome (PCOS). On 18th 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.

4. Mr. Santanu Maji, 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 letter of confirmation issued by the Chairman, Malda District Primary School Council dated 21st October, 2024 wherefrom it appears that petitioner is confirmed in service with effect from 19th February, 2023.
5. Despite service, none appears on behalf of the State-respondents.
6. Mr. Sourav Sengupta, learned Advocate, who usually appears on behalf of the State-respondents is requested to appear in this matter with a junior of his choice. Let the appointment of both the learned Advocates be regularised by the competent authority.
7. Learned Advocate-on-record for the petitioner is directed to serve copy of the writ petition along with its annexures upon the learned Advocate for the State.
8. Learned Advocates for the Board, respective Councils 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.

9. To this, Mr. Maji, learned advocate appearing for the petitioner submits that the *Utsashree* portal is not functional as yet.
10. 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 18th 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 the medical documents of the wife of the petitioner.
11. The reasoned order is to be communicated to the petitioner within one week from the date of passing of such order.
12. With the above direction, the writ petition being **WPA 7807 of 2026** 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.)