08.10.2026
Sl. No.13
Ct. No.14
ss

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No.7977 of 2026

Rajat Duha
Versus
The State of West Bengal & Ors.

Mr. Somesh Kumar Ghosh
Mr. Suman Mukherjee
...for the Petitioner.

Mr. Sourav Sengupta (1)
Ms. Tanusree Ghosh
... for the State

Mr. Ratul Biswas
Mr. Koushik Chowdhury
... for the WBBPE

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. At the outset, learned Advocate for the petitioner submits that due to inadvertent typographical error, the name of the school has been wrongly mentioned as Kakri Jharna Primary/Jr. Basic School in place of Dhenkia Board Primary School in paragraph 3 of the writ petition.
3. 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 Jhargram to a school in the District of Paschim Medinipur on the ground of his physical disablement.
4. The petitioner contends that he joined as an Assistant Teacher in Dhenkia Board Primary School under Belpahari West Circle, District Jhargram on 9th February,

2024. The petitioner has completed two years of continuous service. The petitioner is suffering from 40% physical disablement. On 1st February, 2026 the petitioner made a representation before the authority concerned for his transfer on the ground of his physical disablement. However, the said representation is still pending consideration. Hence, this writ petition.

5. Mr. Somesh Kumar Ghosh, 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 the ground of his physical disablement, in accordance with law. He files a copy of office memorandum issued by the Chairman, District Primary School Council, Jhargram dated 31st August, 2026 wherefrom it appears that the petitioner is confirmed in service with effect from 9th February, 2026.
6. Despite service none appears on behalf of the State.
7. Mr. Sourav Sengupta (1), learned Advocate who usually appears on behalf of the State, is requested to appear in this matter with junior of his choice. Let their appointment be regularized by the competent authority.
8. Learned Advocate for the petitioner is directed to serve copy of the writ petition along with its annexures upon the learned Advocate for the State.
9. Learned Advocates for the Board, State and District Primary School Council submit that the *Utsashree* portal is presently functional and the petitioner should file such

application seeking transfer through *Utsashree* portal under the existing rules.

10. To this, Mr. Ghosh, learned advocate appearing for the petitioner submits that the *Utsashree* portal is not functional as yet.

11. 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 1st 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.

12. The respondent no.4, the Secretary, West Bengal Board of Primary Education shall be at liberty to seek for medical examination of the petitioner before considering the representation of the petitioner.

13. The reasoned order is to be communicated to the petitioner within one week from the date of passing of such order.

14. Learned advocate for the petitioner is directed to communicate this order to the respondent no.4, the Secretary, West Bengal Board of Primary Education.

15. With the above direction, the writ petition being **WPA 7977 of 2026** stands disposed of.

16. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
17. Interim order, if any, stands vacated.
18. All connected applications, if any, stand disposed of.
19. There shall be no order as to costs.
20. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
21. 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.)