

19.05.2026
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FMA 739 of 2025
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IA No.: CAN 1 of 2024 [Stay]
Mahmood Absina
– *Versus* –
The State of West Bengal & Others

Mr. Golam Mostafa,
Mr. Tara Sankar Samanta
... for the Appellant.
Ms. Koyeli Bhattacharyya,
Mr. Bibek Dutta,
Mr. Manas Bhattacharyya
... for the WBBSE.
Mr. Sourav Mitra
... for the WBCSSC.

The present appeal has been preferred challenging the order dated 19th February, 2024 passed by the learned Single Judge in WPA 1124 of 2024. By the said order, the writ petition filed by the appellant, seeking a direction upon the respondents to consider his prayer for transfer to any school in and around the Berhampur area in the district of Murshidabad, was dismissed.

The facts leading to the filing of the present appeal are that the appellant/writ petitioner joined as an Assistant Teacher at Sitai High School, Cooch Behar in 2006. Subsequently, in 2017, the appellant/writ petitioner applied for a mutual transfer and, upon acceptance of such application, was transferred to Huda Herampur High School, Murshidabad.

In 2021, he again submitted an application through the Utsashree portal seeking transfer to a school in the vicinity of Berhampur on the grounds of distance and the need to take care of his aged and ailing parents. However, despite receipt of such application, the same remained unattended. This compelled the

appellant to file the writ petition, which was dismissed by the order under appeal. The learned Single Judge found that the grounds on which the transfer was sought were not convincing.

However, in course of hearing Mr. Mustafa, learned Advocate appearing for the appellant prays for leave to withdraw the appeal with liberty to approach the authorities afresh with an offline application for transfer along with all requisite papers and medical documents of his family members.

Such prayer has not been opposed by Mr. Mitra and Ms. Bhattacharyya, learned Advocates appearing for the Commission and the Board, respectively.

In view of such submission made on behalf of the appellant, the appeal and the connected application are dismissed as withdrawn with liberty to the appellant to submit a fresh offline application for transfer along with recent medical documents.

If such application is received by the concerned respondent, the same will be processed and considered in accordance with law as expeditiously as possible.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all requisite formalities.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)