

14.05.2026
Sl. No.386
Ct. No.14
ss

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

W.P.A. No. 9821 of 2026

**Situ Das
Versus
The State of West Bengal & Ors.**

Ms. Ankita Dey

...for the Petitioner.

Mr. Avishek Prasad

...for the DPSC, Malda.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. By the present writ petition, the petitioner seeks for direction upon the respondent authority to grant him intra district transfer to any school nearby his residence upon consideration of his representation dated 1st April, 2026 on medical ground of his wife.
3. The petitioner contends that he joined as an Assistant Teacher in Baghmara Primary School, under Harishchandrapur Circle, District Malda on 19th February, 2021. The petitioner has been confirmed in service with effect 19th February, 2023. The petitioner's house is situated 100 kilometers away from his present place of posting. The wife of the petitioner is suffering from various gynecological disorders, particularly left sided cornual block, right and left both ovarian cyst and kidney stone. On 1st April, 2026 the petitioner

made a representation seeking his transfer on medical ground of his spouse before the concerned authority. However, the same is still pending consideration. Hence, this writ petition.

4. Ms. Ankita Dey, learned Advocate appearing on behalf of the petitioner submits that the matter may be relegated to the Chairman, District Primary School Council, Malda, respondent no.4, to consider the representation of the petitioner dated 1st April, 2026.
5. Learned Advocate appearing on behalf of the District Primary School Council, Purba Bardhaman leaves the matter to the discretion of the Court.
6. In view of the submissions advanced on behalf of the respective parties, the respondent No.4, the Chairman, District Primary School Council, Malda is directed to consider the representation of the petitioner dated 1st April, 2026 and dispose of the same by passing a reasoned order, in accordance with law, subject to production of medical reports and documents, upon notice to the petitioner, within a period of eight weeks from the date of communication of this order.
7. The reasoned order is to be communicated to the petitioner within one week from the date of passing of such order.
8. Learned advocate for the petitioner is directed to communicate this order to the respondent no.4, the Chairman, District Primary School Council, Malda.

9. With the above direction, the writ petition being **WPA 9821 of 2026** stands disposed of.
10. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
11. Interim order, if any, stands vacated.
12. All connected applications, if any, stand disposed of.
13. There shall be no order as to costs.
14. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
15. 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.)