

12.03.2026
Sl. No.17(DL)
Ct. No.14
srm

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

W.P.A. No. 12694 of 2025

Dipa Pramanik

Versus

The State of West Bengal & Ors.

Mr. Shamik Bagchi,
Mr. Farhad Malik

...for the Petitioner.

Mr. Ratul Biswas,
Mr. Kaushik Chowdhury

...for the WBBPE.

Mr. Supriya Chattopadhyay,
Ms. Iti Dutta

...for the DPSC, Dakshin Dinajpur.

Mr. Wasim Ahmed,
Mr. Shehabuddin

...for the State.

1. On the prayer of the learned Advocate for the petitioner, leave is granted to implead Secretary, West Bengal Board of Primary Education as added respondent No.7.
2. Learned Advocate for the petitioner is directed to serve copy of the writ petition along with its annexures to the learned Advocate for the Board.
3. Affidavit-of-service filed on behalf of the petitioner is taken on record.
4. By the present writ petition, the petitioner seeks direction upon the respondent authorities to grant inter district transfer to the petitioner from the district of Uttar Dinajpur to any school in the district of North 24-Parganas on distance ground.

5. The petitioner contends that she is an Assistant Teacher of Boaldar Free Primary School, under Balurghat Circle, District-Uttar Dinajpur. The petitioner joined the said school on 19th July, 2021. The service of the petitioner has been confirmed on 20th July, 2023. The petitioner's residence is about 395 kms. away from her workplace. On 13th January, 2025, the petitioner made a representation before the President, West Bengal Board of Primary Education and other authorities for seeking inter-district transfer, however, the same is still pending consideration. Hence, this writ petition.
6. Mr. Shamik Bagchi, learned Advocate for the petitioner submits that the matter be relegated to the appropriate authority for considering and deciding the representation of the petitioner dated 13th January, 2025.
7. Mr. Kaushik Chowdhury, learned Advocate for the West Bengal Board of Primary Education indicates that the application has been filed within a period of five years' from the date of joining.
8. It will be profitable to reproduce Rule 4(b) of West Bengal Primary Education (Transfer of Teachers including Head Teacher) Rules, 2002 as amended on 13th September, 2021:

“4(b) on an application from a teacher, transfer approved teacher within its jurisdiction from one Primary School to another Primary School on the condition that such approved teacher, in case of mutual transfer, is confirmed and in case of single transfer, is confirmed and has completed minimum five years of continuous service.”

9. As per Rule 4(b) as amended on 13th September, 2021 transfer can be considered on an application from a teacher from one primary school to another primary school on condition that such approved teacher, in case of mutual transfer, is confirmed and in case of single transfer, is confirmed and has completed minimum five years of continuous service. Since the petitioner has not completed five years of continuous service on the date of submitting application for transfer as required under the Rule, hence this writ petition falls short of merit.
10. Accordingly, the writ petition being **WPA 12694 of 2025** is dismissed.
11. However, it is left open to the petitioner to file fresh representation before the authority concerned seeking transfer after completion of five years' service.
12. Interim order, if any, stands vacated.
13. All connected applications, if any, stand disposed of.
14. There shall be no order as to costs.
15. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
16. 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.)