

02.04.2026
Sl. No.15(DL)
Ct. No.14
srm

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

**W.P.A. No. 14258 of 2025
Nayeema Banu**

Versus

The State of West Bengal & Ors.

Mr. Himadri Sikhar Chakraborty
...for the Petitioner.

Mr. M.P. Chakrabarty,
Mr. Bidhan Biswas
...for the State.

Mr. Avishek Prasad
...for the DPSC, Malda.

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

1. Report in the form of affidavit filed by the District Primary School Council, Malda is taken on record.
2. By the present writ petition, the petitioner seeks for direction upon the respondent authorities to grant inter-district transfer to the petitioner to a school nearby to her place of residence.
3. The petitioner contends that she is an assistant teacher of Giridharitola Primary School, Malda. The petitioner joined in the said school on 11th August, 2018. The petitioner got married in the year 2022 and her in-laws house is situated at Nadia which is about 300 kms. away from her present place of posting. The petitioner is suffering from certain gynaecological problems. On 13th March, 2025 the petitioner made a representation before the concerned authority.

However, no steps have been taken. Hence, this writ petition.

4. Mr. Avishek Prasad, learned Advocate for the DPSC, Malda, Mr. M.P. Chakrabarty, learned Advocate for the State as well as Mr. Koushik Chowdhury, learned Advocate for the WBBPE submit that previously the petitioner was transferred on 7th October, 2020. As per Rule 6(3) of the West Bengal Primary Education (Transfer of Teachers including Head Teacher) Rules, 2002 (hereinafter referred to as the Rules of 2002), no teacher shall be eligible to seek for transfer within seven years since issuance of previous inter-district transfer order.
5. Mr. Himadri Sikhar Chakraborty, learned Advocate for the petitioner also concedes to the aforesaid submissions.
6. As per Rule 6(3) of Rules of 2002 no teacher shall be eligible to apply for transfer within seven years from the date of transfer. In the present case, admittedly, the petitioner was previously transferred on 7th October, 2020. The present application seeking transfer has been filed on 13th March, 2025 which is within seven years since order of issuance of previous inter-district transfer. Hence, the petitioner is ineligible to seek transfer within seven years of her previous transfer. In light of the above, the writ petition falls short of merit.

7. Accordingly, the writ petition being WPA No.14258 of 2025 stands dismissed.
8. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
9. Interim order, if any, stands vacated.
10. All connected applications, if any, stand disposed of.
11. There shall be no order as to costs.
12. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
13. 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.)