

02.04.2026
Item No. 17
Ct. No. 14
AN

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

**WPA 15417 of 2025
Riju Atta
vs.
State of West Bengal & ors.**

Mr. Malay Bhattacharyya
Mr. Subhrojyoti Ghosh
... for the petitioner

Mr. Bhaskar Prasad Vaisya
Mr. Ranjan Saha
... for the State

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

Mr. Pritam Choudhury
... for the DPSC, Paschim Bardhaman

1. Supplementary affidavit filed on behalf of the petitioner is taken on record.
2. By the present writ petition, the petitioner seeks for direction upon the respondent authorities to grant inter district transfer from the District of Paschim Burdwan to the District of Bankura upon consideration of the representation of the petitioner dated 19th November, 2024.
3. The petitioner contends that he is an Assistant Teacher of Desher Mohan F.P. School, Jamuria-I Circle, District Paschim Burdwan. The petitioner joined the said school on 20th July, 2021. The

petitioner has been confirmed in the service with effect from 22nd July, 2023. The petitioner is suffering from serious problems in the spinal cord. The petitioner's house is 90 kms. away from the said school. On 19th November, 2024, the petitioner made a representation before respondent no. 2, the Secretary, West Bengal Board of Primary Education seeking his transfer. However, the same is still pending consideration. Hence this writ petition.

4. Mr. Malay Bhattacharyya, learned advocate appearing for the petitioner submits that the matter be relegated to the appropriate authority for consideration of the representation of the petitioner seeking transfer.
5. Mr. Ratul Biswas, learned advocate appearing for the respondent Board submits that the said disease of the petitioner is not a scheduled disease as per Rule 5(3)(a) of the West Bengal Primary Education (Transfer of Teachers including Head Teacher) Rules, 2002. However, he seeks that the authority be directed to consider the representation of the petitioner.
6. Learned advocates appearing for the other respondents leave the matter to the discretion of the Court.
7. In view of the submissions advanced by the respective parties, respondent no. 2, the Secretary,

West Bengal Board of Primary Education is directed to consider the representation of the petitioner dated 19th November, 2024 and dispose of the same by passing a reasoned order in accordance with law, upon notice to the petitioner, within a period of eight weeks from the date of communication of this order.

8. The reasoned order shall be communicated to the petitioner within a week from the date of passing of such order.
9. Respondent no. 2, the Secretary, West Bengal Board of Primary Education is granted liberty to seek for medical examination of the petitioner, if so required, prior to consideration of the representation of petitioner.
10. The petitioner is directed to communicate this order to respondent no. 2, the Secretary, West Bengal Board of Primary Education for necessary compliance.
11. With the above directions, the writ petition being no. **WPA 15417 of 2025** stands disposed of.
12. Since no affidavits have been called for, the allegations made in the writ petition are deemed to be not admitted.
13. Consequently, connected applications, if any, also stand disposed of.
14. Interim orders, if any, stand vacated.

15. There will be no order as to costs.
16. Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Bivas Pattanayak, J.)