

05.03.2026
Item No. 29
Ct. No. 14
AN

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

**WPA 16982 of 2025
Rahul Dutta
vs.
State of West Bengal & ors.**

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
Ms. Pritha Biswas
... for the petitioner

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

Mr. Saptarshi Guha
... for the State

Mr. Bhaskar Prasad Vaisya
Mr. Nilay Baran Mondal
... for the DPSC, Purulia

Mr. Bhaskar Prasad Vaisya
Mr. Gourav Das
Ms. Tapati Sarkar
... for the DPSC, South 24 Parganas

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 authorities to grant inter district transfer from the District of South 24 Parganas to the District of Purulia upon consideration of the representation of the petitioner dated 9th June, 2025.

3. The petitioner contends that he is an Assistant Teacher of Vivekananda Sishu Niketan Primary School, Village Indranarayanpur, Post Office Ramnagar ABAD, District South 24 Parganas. The petitioner joined the said school on 20th July, 2021. The petitioner has been confirmed in the service with effect from 8th December, 2023. The petitioner's wife is suffering from various gynecological disorders and is under regular treatment. The petitioner's house is 388 kms. away from the said school. On 9th June, 2025, the petitioner made a representation before respondent no. 3, the Secretary, West Bengal Board of Primary Education seeking his transfer. However, the same is still pending consideration. Hence this writ petition.
4. Mr. Sudip Ghosh Chowdhury, 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. Saptarshi Guha, learned advocate representing the State submits that the petitioner has not completed the five-years of service and as such the application for transfer cannot be entertained. He files a report furnished by the District Primary

School Council (P.E.), South 24 Parganas dated 8th January, 2026 which is taken on record.

6. Learned advocates appearing for the DPSC, South 24 Parganas and the Board submit that the ground of medical emergency of the wife of the petitioner can be considered by the concerned authority in terms of the Rules of 2002 as amended on 13th September, 2021.
7. In view of the submissions advanced by the respective parties, respondent no. 3, the Secretary, West Bengal Board of Primary Education is directed to consider the representation of the petitioner dated 9th June, 2025 and dispose of the same by passing a reasoned order in accordance with law, upon notice to the petitioner, within a period of twelve weeks from the date of communication of this order, subject to production of the medical documents of petitioner's wife.
8. The reasoned order shall be communicated to the petitioner within a week from the date of passing of such order.
9. The petitioner is directed to communicate this order to respondent no. 3, the Secretary, West Bengal Board of Primary Education for necessary compliance.
10. With the above directions, the writ petition being no. **WPA 16982 of 2025** stands disposed of.

11. Since no affidavits have been called for, the allegations made in the writ petition are deemed to be not admitted.
12. Consequently, connected applications, if any, also stand disposed of.
13. Interim orders, if any, stand vacated.
14. There will be no order as to costs.
15. 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.)