

21.05.2026
Sl. No.15(DL)
Ct. No.14
srm

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

W.P.A. No. 18849 of 2025

Mohammad Iqbal

Versus

The State of West Bengal & Ors.

Mr. Srikanta Datta,
Ms. Aditi Chakraborty

...for the Petitioner.

Mr. Kaushik Chowdhury,
Ms. Sumita Se

...for the DPSC, Birbhum.

Mr. Ratul Biswas,
Mr. Kaushik Chowdhury

...for the WBBPE.

1. By the present writ petition, the petitioner seeks direction upon the respondent authorities to grant intra district transfer to a school nearby to his place of residence.
2. The petitioner contends that he joined as an Assistant Teacher in Majhipara Kumirtara Primary School under Mayureswar Circle, District-Birbhum on 25th August, 2010. The petitioner is a visually handicapped, suffering from 75% visual deficiency having infected with chronic myeloid leukemia (blood cancer). The petitioner was deputed in a school situated within the vicinity of the petitioner's house, namely Vidyasagar Primary School temporarily. The petitioner seeks his transfer to a school nearby to his residence. On 26th March, 2025, the petitioner made a representation before the concerned authority

seeking his transfer on medical ground, however, the same is still pending consideration. Hence, this writ petition.

3. Mr. Srikanta Datta, learned Advocate for the petitioner submits that the matter be relegated to the concerned authority for taking a decision on the representation of the petitioner. He also submits that the petitioner is confirmed in service with effect from 25th August, 2012. He files a copy of office memorandum issued by the Chairman, DPSC, Birbhum which is taken on record.
4. Mr. Kaushik Chowdhury, learned Advocate representing District Primary School Council, Birbhum as well as West Bengal Board of Primary Education also submits that the matter be relegated to the appropriate authority.
5. In view of such submissions advanced on behalf of the respective parties, respondent No.5, Chairman, District Primary School Council, Birbhum is directed to consider the representation of the petitioner dated 26th March, 2025 and dispose of the same by passing a reasoned order, in accordance with law, upon notice to the petitioner, within a period of six weeks from the date of communication of this order.
6. The reasoned order shall be communicated to the petitioner within a week from the date of passing of such order.

7. The respondent No.5 is granted liberty to seek for medical examination of the petitioner, prior to consideration of the representation of the petitioner.
8. Learned advocate for the petitioner is directed to communicate this order to respondent No.5, Chairman, District Primary School Council, Birbhum, for necessary compliance.
9. With the above direction, the writ petition being **WPA 18849 of 2025** 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.)