

12.03.2026
Sl. No. 11
Ct. No.14
AN

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

WPA/19844/2025
SUBHALAXMI SARKAR
VS
STATE OF WEST BENGAL AND ORS.

Mr. Biswarup Mukherjee
Mr. Tanumoy Kar
Ms. Madhujā Ritwika

...for the Petitioner.

Mr. Biswanath Samanta
Mr. Priyabrata Ghosh

...for the State.

Mr. Avishek Prasad

...for the DPSC, Malda.

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 for grant of intra-district transfer to a school nearby to her residence.
3. The petitioner contends that she joined as an Assistant Teacher in Konar Managed Primary School in the year 2021 and was eventually confirmed in service in the year 2024. The petitioner is suffering from renal failure and has to undergo routine dialysis twice in a week. The house of the petitioner is situated about 100 kms. away from her present place of posting. On 21st February, 2025, the petitioner made an application before respondent no. 2, the

Chairman, District Primary School Council, Malda seeking for her transfer. However, the same is still pending consideration. Hence this writ petition.

4. Mr. Biswarup Mukherjee, learned advocate appearing for the petitioner submits that the transfer application of the petitioner should be considered expeditiously by the authorities concerned bearing in mind the medical condition of the petitioner.
5. Mr. Avishek Prasad, learned advocate appearing for the District Primary School Council, Malda submits that there is no such receipt annexed to the writ petition showing that the petitioner has submitted such application. Be that as it may, if the application is placed before the authority, a authority will consider the same within the stipulated period.
6. In reply, Mr. Mukherjee, learned advocate appearing for the petitioner submits that despite receiving copy of the demand justice, the authority concerned has taken no action till date.
7. Mr. Biswanath Samanta, learned advocate representing the State leaves the matter to the discretion of the Court.
8. In view of the above, respondent no. 2, the Chairman, District Primary School Council, Malda is directed to consider the application of the petitioner dated 21st February, 2025 and dispose of the same by passing a reasoned order in accordance with law upon giving notice to the petitioner within a period of six weeks from the date of communication of this order.

9. Such reasoned order shall be communicated to the petitioner within a period of one week from the date of passing of such reasoned order.
10. Respondent no. 2, the Chairman, District Primary School Council, Malda shall be at liberty to cause medical examination of the petitioner, if so required, prior to consideration of the representation of the petitioner dated 21st February, 2025.
11. Learned advocate appearing for the petitioner is directed to communicate this order to the respondent no. 2, the Chairman, District Primary School Council, Malda for necessary compliance along with a copy of the representation dated 21st February, 2025.
12. Accordingly, the writ petition being **WPA 19844 of 2025** is disposed of.
13. Since no affidavit is called for, the allegations made in the writ petition are deemed to have been denied.
14. Consequently, connected applications, if any, stand disposed of.
15. Interim orders, if any, stand vacated.
16. There shall be no order as to costs.
17. 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.)