

21.05.2026
Sl. No.22
Ct. No.14
gd

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

WPA/24523/2025
EBRAHIM SK.
VS
STATE OF WEST BENGAL AND ORS.

Mr. Jagesh Chandra Roy
Ms. Torsa Min Bahar

...for the Petitioner.

Mr. Ratul Biswas
Mr. Kaushik Chowdhury

...for WBBPE.

Mr. Biswabrata Basu Mallick

...for DPSC, Uttar Dinajpur.

1. Affidavit of service filed by the petitioner is taken on record.
2. By the present writ petition the petitioner seeks direction upon the respondent authorities to grant inter district transfer to the petitioner from district of Uttar Dinajpur to district of Murshidabad on self-medical ground.
3. The petitioner contends that he joined as an Assistant Teacher in Mir Sahapur F.P. School, P.O.- Hatkhola Sahapur, Police Station-Goal Pokher, District- Uttar Dinajpur on 12th August, 2021. The petitioner has been confirmed in service with effect from 12th August, 2023. The petitioner is suffering from lumbar spine. The petitioner's residence is about 246 Kilometers away from his present place of posting. On 8th September, 2025 the

petitioner made a representation before the concerned authority seeking transfer. However, the same is still pending consideration. Hence this writ petition.

4. Ms. Torsa Min Bahar, learned advocate appearing for the petitioner submits that the matter may be relegated to appropriate authority for consideration of the representation of the petitioner for his transfer in accordance with law.
5. Learned advocate appearing for the West Bengal Board of Primary Education as well as District Primary School Council, Uttar Dinajpur submit that the disease is not listed as per Rule 5(3) of the West Bengal Primary Education (Transfer of Teachers including Head Teacher) Rules, 2002. Further the application has been made within five years of service.
6. As far as the medical ground is concerned, it is found that the petitioner is suffering from degenerative bone in C4 to C6 vertebrae. Indisputably, the petitioner is residing near his place of posting. Therefore, the ground that the petitioner is facing difficulty in travelling for discharging his functions in the school due to his medical conditions does not stand to reason. The petitioner has not completed five years of service prior to making application for transfer and as such it violates the provisions of Rule 4(b) Rules, 2002 (as amended).
7. In view of the above, the writ petition falls short of merit.

8. Accordingly, the writ petition being **WPA 24523 of 2025** stands dismissed.
9. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
10. Interim order, if any, stands vacated.
11. All connected applications, if any, stand disposed of.
12. There shall be no order as to costs.
13. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
14. 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.)