

04.02.2026
Sl. No.31
Ct. No.14
gd

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

WPA/27151/2025
SAHIDULLAH
VS
STATE OF WEST BENGAL AND ORS.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
Ms. Debolina Chakranborty
...for the Petitioner.

Mr. Pratik Dhar, Id. Sr. Adv.
Ms. Madhurima Sarkar
...Madrasah Service Commission.

Mr. Nirmalya Kumar Das
Mr. Jahangir Hossain
...for the Respondent No.6.

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Report filed by respondent no.6, Secretary, Kheria Siddiquia Senior Madrasah is also taken on record.
3. On the prayer of the learned advocate for the petitioner, leave is granted to implead the Superintendent, Kheria Siddiquia Senior Madrasah as added respondent no.7.
4. By the present writ petition the petitioner seeks for consideration of his application for transfer on self medical ground dated 22nd June, 2025.
5. The petitioner contends that he is an Assistant Teacher in English in Kheria Siddiquia Senior Madrasah of Bhangankhali, District-South 24-Parganas. The petitioner is suffering from serious cardiological

disorder. On 22nd June, 2025, the petitioner made an application for his transfer on medical ground. However, the same is still pending consideration. Hence this writ petition.

6. Mr. Sudip Ghosh Chowdhury, learned advocate for the petitioner submits that the matter may be relegated to the appropriate authority for due consideration.
7. Mr. Pratik Dhar, learned Senior Advocate appearing for the West Bengal Madrasah Service Commission submits that as per Rule 34 of West Bengal Madrasah Service Commission Recruitment (Selection and Recommendation of persons for Appointment and Transfer to the Posts of Teacher and Non-Teaching Staff) Rules, 2023 (*hereinafter referred to as 'Rules of 2023'*) the Head of the Madrasah after proper verification and scrutiny has to forward the application to the District Inspector of Schools (SE) for further course of action.
8. Mr. Nirmalya Kumar Das, learned advocate appearing for respondent no.6, Secretary, Kheria Siddiquia Senior Madrasah submits that if the petitioner is transferred from school, then education of students will be hampered.
9. In view of the above, Superintendent, the added respondent no.7, Kheria Siddiquia Senior Madrasah is directed to take appropriate steps in terms of Rule 34 of the Rules of 2023 pertaining to the application of the petitioner dated 22nd June, 2025 seeking transfer within

a period of eight weeks from the date of communication of this order.

10. Learned advocate for the petitioner is directed to communicate this order to the added respondent no.7, Kheria Siddiquia Senior Madrasah for necessary action.
11. With the aforesaid directions, the writ petition being **WPA 27151 of 2025** stands disposed of.
12. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
13. Interim order, if any, stands vacated.
14. All connected applications, if any, stand disposed of.
15. There shall be no order as to costs.
16. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
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.)