

11.02.2026

Sl.No.37
Ct.No. 32
(pp)

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 28318 of 2024

Sk. Hasanur Jaman
Vs.
State of West Bengal & Ors.

Mr. Sk. Rejaul Alam

....for the petitioner.

1. None appears on behalf of the respondents.
No accommodation is sought for.
2. From the records, it appears that despite the direction, no affidavit-in-opposition has been filed till date.
3. The petitioner has filed this writ petition seeking direction upon the respondent to transfer the petitioner to Dhekua Farukia High Madrasah, Purba Medinipur or the school nearest to his wife, with ten other choices, since his wife is also working in another school under the same district.
4. The brief fact of the case is that the petitioner joined the post of Assistant Teacher in Physics (Honours/PG) in Islamic Senior Madrasah in the District of Mushidabad on 12.07.2018, and after

joining, he has been performing his duty regularly and sincerely. He made an application on Online E-Counselling for a general transfer on 20th March, 2024.

5. Learned Counsel for the petitioner submits that the post of Assistant Teacher in Purba Medinipur is still lying vacant. Petitioner has sought transfer on several grounds; firstly, his daughter is aged about five years and suffering from “Down syndrome disease”, she mentally retarded and unable to speak. Secondly, his wife is an approved Assistant Teacher in Physics, and she has been working permanently within the district of Purba Medinipur. In addition to that, the case of the petitioner is that his father has been suffering from heart disease and old-age ailments.
6. The petitioner made a representation before the respondent no. 2 to consider his prayer, and at the time of seeking transfer, he had availed of ten alternatives. In the said ten choices, his first choice was in Purba Medinipur.
7. The post is still lying vacant at Purba Medinipur. Such representation was not considered, and as such, the petitioner

further made a prayer for reconsideration of his transfer on 21st October, 2024. The same is under consideration by the respondents.

8. In view of the above facts, the purpose of filing writ petition would be served if I direct the respondent no. 2 to consider the representation of the petitioner within 4 weeks from the date of communication of this order along with copy of writ petition and dispose of the same by passing reasoned order in accordance with law after affording an opportunity of being heard to the petitioner and communicate the final outcome to the writ petitioner within one week thereafter.
9. In the meantime, the post lying vacant, if any, may not be filled up until disposal of the representation.
10. With the above observation, the writ petition being **WPA 28318 of 2024** stands disposed of. There will be no order as to costs.
11. Connected applications, if any, are also, thus, disposed of.
12. Interim order, if any, stands vacated.

13. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
14. Urgent certified copy, if applied for, be duly supplied to the applicant(s) after compliance of all legal formalities.

(Ajay Kumar Gupta, J.)