

16.03.2026

Ct. No. 5

Sl. No.14

akd

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

W. P. A. 337 of 2026

[Kajal Banik -Vs- The State of West Bengal & Ors.]

Mr. Bibek Tarafder

... for the petitioner

Mr. Sourav Ganguly

Ms. Rishita Chakraborty

... for respondent nos.5 & 6

[District Primary School Council, Jalpaiguri]

Mr. Momenur Rahman

Mr. Sumit Kumar

... for the State

1. Affidavit-of-service filed in court today is taken on record.
2. The petitioner has preferred the present writ petition being aggrieved by the inaction on the part of the respondent authorities in not considering the representation dated 23.12.2025 submitted by the petitioner seeking transfer on special ground in accordance with the applicable rules.
3. It is the case of the petitioner that she was appointed as an Assistant Teacher under the District Primary School Council, Jalpaiguri by an appointment letter dated 02.02.2017 and joined service on 03.02.2017 at Bhandani Junior Basic School under Maynaguri Circle, District–Jalpaiguri. The petitioner submits that she sustained serious injuries in a motor accident and continues to suffer from the effects thereof. It is further stated that she is the mother of a four-year-old child who is entirely dependent upon her, the child's father being employed in Uttar

Dinajpur and residing there for the purpose of his employment. The petitioner further submits that her present residence is situated at a distance of approximately 16.8 kilometres from her place of posting and, in view of her medical condition and the responsibility of caring for her minor child, she is experiencing considerable difficulty in attending her place of work.

4. In view of the aforesaid circumstances, the Petitioner submitted an application dated 23.12.2025 seeking transfer on special grounds in terms of the West Bengal Primary Education (Transfer of Teachers including Head Master) Rules, 2002. However, according to the Petitioner, the said application has not yet been considered by the competent authority.

5. Learned Advocate for the State-respondents submits that the authorities have no objection to consider the petitioner's representation dated 23.12.2025.

6. In view of the submission made by the learned Advocate for the State-respondents, learned counsel for the petitioner submits that his client shall be satisfied if the representation dated 23.12.2025 is decided in a time bound manner by the competent authority.

7. Accordingly, this Court directs the Chairman, Jalpaiguri District Primary School Council (respondent no.6) to decide the representation of the petitioner dated 23.12.2025 in accordance with law and in terms of the relevant rules and to pass a speaking order within a period of four weeks from the date of communication of this order

after affording an opportunity of personal hearing to the petitioner.

8. Needless to mention that if the petitioner is aggrieved by the said speaking order, she shall be at liberty to challenge the same in accordance with law.

9. With the aforesaid directions, the present writ petition is disposed of.

10. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

11. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)