

30.04.2026
Sl. No.16
Ct. No.14
ss

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

W.P.A. No. 24775 of 2024

**Sudipta Sadhu
Versus
The State of West Bengal & Ors.**

Mr. Shuvro P. Lahiri
Mr. Rajesh Naskar
...for the Petitioner.

Mr. Biswabrata Basu Mallick
Mr. Biman Halder
Mr. Amman Arif Ansari
... for the DPSC, Uttar Dinajpur &
DPSC, Hooghly

Ms. Priya Ghosal
... for the State

Mr. Ratul Biswas
Mr. Kaushik Chowdhury
... for the WBBPE

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. On the prayer of the learned Advocate for the petitioner, leave is granted to implead the Chairman, District Primary School Council, Hooghly as an added respondent no.8 in the cause-title of the writ petition.
3. By the present writ petition, the petitioner seeks direction upon the respondent authorities to grant inter-District transfer to the petitioner from his present place of posting in the District of Uttar Dinajpur to a school in the District of Hooghly on general ground.

4. The petitioner contends that he joined as an Assistant Teacher in Rahatpur F.P. School, District Uttar Dinajpur on 5th August, 2021. The petitioner's service has been confirmed with effect from 5th August, 2023. The house of the petitioner is situated about 443 kilometers away from his present place of posting. The petitioner is the surplus teacher in this school. On 16th July, 2024 the petitioner made a representation before the authority concerned for his transfer on general ground. However, the said representation is still pending consideration. Hence, this writ petition.
5. Mr. Shuvro P. Lahiri, learned Advocate appearing on behalf of the petitioner in his usual fairness submits that the application has been made within five years of joining of the petitioner. He seeks liberty to file a fresh application seeking transfer after completion of five years of continuous service.
6. It is not in dispute that the petitioner has not completed five years of continuous service as required under Rule 4(b) of the West Bengal Primary Education (Transfer of Teachers including Head Teacher) Rules, 2002, as amended.
7. In view of the above, the writ petition being **WPA 24775 of 2024** is dismissed.
8. However, it is left open to the petitioner to seek transfer after completion of five years of his continuous service.

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.)