

05.08.2025
Court No. 18
Item No. 308 (ML)
(Suvendu)

WPA 2496 of 2024

Bipasha Nandi (Nag)
-Versus-

The State of West Bengal & Ors.

Mr. Ujjal Ray
Mr. Abdur Rahim
.....for the petitioner

Mr. Sourav Mitra
...for the WBCSSC

Ms. Sipra Mazumdar
Ms. Somashree Dey
....for the State

- 1) Affidavit of service filed on behalf of the petitioner is taken on record.
- 2) Learned advocate for the petitioner submits that petitioner made an application for transfer on the ground of distance in between the present school of the petitioner and her place of residence.
- 3) However, on perusal of application dated 3rd October, 2023, it appears that same was not preferred in prescribed format.
- 4) In this regard reliance is placed on the order dated 14th February, 2025 passed by the Hon'ble Division Bench on an intra-court appeal

being **FMA 103 of 2025 (Tanushri Karmakar Vs. The State of West Bengal & Ors.)**. In the order dated 14th February, 2025 it has been succinctly decided by the Hon'ble Division Bench that once a thing is required to be done in a particular manner it should be done in such manner and not otherwise. The moment the form is prescribed in the Rules shaping an integral part of the statutory provisions, it cannot be whittled down nor to be done away at the behest of the beneficiary of the said Rules nor the other stakeholders of the said Rules can dispense with the strict adherence of such statutory norms.

5) In view of decision in **Tanushri Karmakar** (supra) in absence of transfer application in prescribed format, no relief can be granted to the petitioner.

6) Hence, Writ petition stands dismissed.

7) However, this order shall not preclude the petitioner to make transfer application in prescribed format even during period when portal is suspended.

8) Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)