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13.03.2025
Ct. No. 18
(ARPAN)

W.P.A. 3545 of 2025

**Beauti Baitha
Vs.
The State of West Bengal & Ors.**

Mr. Shuvro Prakash Lahiri
Mr. Rajesh Naskar
Mr. Ankan Mondal

...for the Petitioner

Mr. Santanu Chatterjee
Mr. Santanu Sett

...for the State

Mr. Kanak Kiran Bandyopadhyay

...for W.B.C.S.S.C

Affidavit-of-service filed on behalf of the
petitioner is taken on record.

Petitioner has prayed for transfer on medical
ground based on an offline application which is at page
93 of the writ petition.

It is submitted by the learned advocate
representing the petitioner that as per rules, application
for transfer on medical ground needs not be preferred in
the prescribed *pro-forma* since in the prescribed *pro-
forma* there is no such scope to indicate reason for
transfer based on medical ground.

The issue has been decided by the Hon'ble
Division Bench in the order dated 14th February, 2025
passed on an *intra-court* appeal being **FMA 103 of 2025**
(Tanushri Karmakar v. State of West Bengal & Ors.).
In the order dated 14th February, 2025 referring to
relevant rules, the Hon'ble Division Bench has observed

that transfer application needs to be preferred in the prescribed *pro-forma*.

There is a specific observation by the Hon'ble Division Bench in ***Tanushri Karmakar*** (supra) 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.

In the present case, transfer application which is at page 93 of the writ petition has not been made in a prescribed *pro-forma* and on perusal of the same the said application also appears to be undated.

In absence of an application made seeking transfer in the prescribed *pro-forma*, no relief can be granted to the petitioner since the issue has already been decided by the Hon'ble Division Bench in ***Tanushri Karmakar*** (supra).

Hence, writ petition stands dismissed.

However, this order shall not preclude the petitioner to take steps in accordance with law for her transfer in future.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)