

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. 16310 of 2025

22 21.08.2025
rkd Ct.18
DO

Sima Mandal

-vs-

The State of West Bengal & Ors.

Mr. Uttam Kumar Bhattacharyya,
Mr. Kaustav Mishra

....for the petitioner.

Ms. Koyeli Bhattacharyya,
Mr. Bibek Dutta

....for the WBBSE.

Mr. Sunit Kumar Roy

....for the WBCSSC.

1. Affidavit-of-service and supplementary affidavit are filed today on behalf of the petitioner and same are taken on record.
2. Petitioner made an application for transfer since petitioner is suffering from cardiac problem.
3. However, on perusal of the writ petition, it appears that transfer application made by the petitioner on 18th March, 2025 which is not in prescribed format and it is not addressed to the appropriate authority.
4. Reliance is placed on the order of the Hon'ble Division Bench dated 14th February, 2025 passed on an intra Court appeal being *FMA 103 of 2025 (Tanushri Karmarkar v. The State of West Bengal &*

Ors.).

5. In *Tanushri Karmakar* (supra) it has been decided that once a thing is required to be done in 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.
6. Admittedly, in the present case transfer application was not made in prescribed format. Therefore, in view of ratio of *Tanushri Karmakar* (supra) petitioner is required to apply for transfer in prescribed format.
7. In absence of appropriate transfer application made in prescribed format direction ought not to be passed directing the concerned respondent authorities to take steps based on such transfer application.
8. Hence, the writ petition stands dismissed.
9. However, this order shall not preclude the petitioner to make transfer application in accordance with law.
10. There shall be no order as to costs.

11. Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)