

S/L 33
04.09.2025
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 17857 of 2025

Lipika Das

Vs.

The State of West Bengal & Ors.

Md. Sarwar Jahan
Sk. Nayeemul Haque
Ms. Tapati Sarkar

...for the Petitioner.

Mr. Manuwar Ali
Ms. Subhra Nag

...for the State.

Mr. Sourav Mitra

...for the WBCSSC.

1. Affidavit of service filed on behalf of the petitioner be taken on record.
2. Petitioner made an application for transfer since the daughter of the petitioner is suffering from ailments.
3. However, on perusal of the writ petition, it appears that transfer application was made by the petitioner on April 17, 2025 which was addressed to the Chairman, West Bengal Central School Service Commission. It appears that the said application is not made in prescribed proforma.
4. Reliance is placed on the order of the Hon'ble Division Bench dated February 14, 2025 passed on an intra Court appeal being *FMA 103 of 2025 (Tanushri Karmakar vs. 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 proforma. Therefore, transfer application is not required to be processed.
7. Hence, the writ petition stands dismissed.
8. However, this order shall not preclude the petitioner to make transfer application in accordance with law in prescribed proforma.
9. There shall be no order as to costs.
10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance of all requisite formalities.

(Saugata Bhattacharyya, J.)