

W.P.A. 19204 OF 2025

**Sumita Biswas
Vs.
The State of West Bengal & Ors.**

Mr. Pritam Chowdhury
Mr. Tamal Taru Panda

..for the petitioner

Mr. Bhaskar Prasad Vaisya
Mr. Niloy Baran Mondal

...for the State

Md. Sarwar Jahan
Mr. Kakal Mishra
Ms. Tapati Sarkar

...for the respondent nos. 5 & 6

Mr. Sourav Mitra

...for the CSSC

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Petitioner made an application for transfer on 16th June, 2025 in terms of the leave granted by coordinate bench vide order dated 16th May, 2025 passed on a writ petition being WPA 4114 of 2023 (Sumita Biswas vs. The State of West Bengal & Ors.). It is also contended that transfer application of the petitioner dated 16th June, 2025 was rejected by the authority of Sambhunagar High School (HS) South 24 Parganas.
3. Respondents are represented by learned advocates.
It is submitted on behalf of the respondents that pupil teacher ratio of a school is a valid

consideration for deciding the transfer application if such application is made on general ground (distance).

4. However, on perusal of the transfer application of the petitioner dated 16th June, 2025 it appears that same was not made in prescribed proforma. In this regard reliance is placed on the judgment of the Hon'ble Division Bench dated 14th February, 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 was succinctly held 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.

6. In the present case admittedly transfer application dated 16th June, 2025 was not made in prescribed proforma as a result whereof same is not required to be considered by the authority.

7. Hence, no relief can be granted to the petitioner.

8. Writ petition stands dismissed.

9. However, this order shall not preclude the petitioner to make an application for transfer in accordance with law, if pupil teacher ratio of the school permits transfer of the petitioner on general ground.

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

(Saugata Bhattacharyya, J.)