

25<sup>th</sup> March., 2026  
Item no.D/L 05  
Court No. 18  
Pradip, A.R.(Ct.)

**In the High Court at Calcutta**  
**Constitutional Writ Jurisdiction**  
**Appellate Side**

Case No. **WPA 5945 of 2026**

*In the matter of :*  
**Dali Rajbanshi & Ors.** *.... Petitioners*  
**VS.**  
**The State of West Bengal & Ors.** *....Respondents*

*For the Petitioners:*  
**Mr. Anjan Bhattacharyya**  
**Ms. Anita Shaw**  
**Ms. Seema Thakur** *....Advocates*

*For the State:*  
**Mr. Amal Kumar Sen, Ld. AAG**  
**Mr. Jayanta Samanta**  
**Ms. Debdooti Dutta** *....Advocates*

1. The instant writ petition has been filed by 143 petitioners claiming identical relief by depositing only one court fees.
2. Learned advocate for the petitioners is directed to pay the deficit court fees in respect of 142 petitioners by 27<sup>th</sup> March, 2026. In default the order passed herein shall be restricted only in respect of the petitioner no. 1 and the writ petition shall be deemed to have been dismissed in respect of the others.
3. Affidavit of service filed in Court today is taken on record.
4. The petitioners are serving as Health Assistant (Female) in the Department of Health and Family Welfare, Government of West Bengal. They allege that they have been posted at far off places from their home district.
5. Reliance has been placed on the order dated 28<sup>th</sup> May, 2024 passed by this Court in WPA 14922 of 2024 (Ranu Hazra & Ors. Vs. The

State of West Bengal & Ors.) wherein the Court directed the authority to consider the prayer of the petitioners therein for consideration of their representations seeking transfer to their home district.

6. It has been submitted that in compliance of the direction passed by the Court in the matter of Ranu Hazra & Ors. (supra), the Director of Health Services considered the prayer of the Health Assistants and an order of transfer had been passed on 11<sup>th</sup> December, 2025 in respect of all the petitioners in the matter of Ranu Hazra and Ors. (supra).
7. Prayer has been made to direct the Director of Health Services to consider the prayer of the petitioners seeking transfer to their home district.
8. The aforesaid submission and prayer of the petitioners is opposed by the learned counsel representing the State respondents. Circular dated 29<sup>th</sup> January, 2024 published by the Director of Health Services has been placed before this Court.
9. It has been submitted that transfer applications may be considered only after completion of three years of uninterrupted and satisfactory service, subject to availability of vacancy and all types of prayer for transfer is to be submitted in the online portal.
10. It has been submitted as the petitioners were appointed only in the year 2024; they have not eligible to file application seeking transfer.
11. On a perusal of the documents annexed to the writ petition, it appears that the Director of Health Services, after considering the Circular dated 29<sup>th</sup> January, 2024, passed the order of transfer in respect of as many as 156 Health Assistants who did not complete the three years of uninterrupted and satisfactory service.

12. The Director of Health Services accepted the plight of the Health Assistants in being posted at districts far away from their home district and passed order of transfer despite observing that there may be huge disparity between the vacancy and the immediate requirement of Health Assistants.
13. The act of the Director in allowing transfer without completion of three years of uninterrupted and satisfactory service implies that the Circular dated 29<sup>th</sup> January, 2024 is primarily directory in nature.
14. Accordingly, the instant writ petition stands disposed of by directing the Director of Health Services to consider the prayer of the petitioners seeking posting in their home district in the manner as has been considered in the matter of Ranu Hazra & Ors. (supra) at the earliest but positively within a period of four months from the date of communication of this order.
15. Each of the writ petitioners will forward a separate application highlighting their grievances with their prayer, disclosing their position in the cause-title of the instant writ petition to the Director of Health Services at the time of communicating the order of the Court.
16. The writ petition stands disposed of.
17. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.
18. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**(Amrita Sinha, J.)**