

09.02.2026
Court No. 02
Item No.121 (ML)
(Suvendu)

WPA 16677 of 2025

Priya Bharti
-Versus-
Union of India & Others

Mr. Sakti Pada Jana
Mr. Subhajyoti Das
.....for the petitioner

Mr. K. Dalal
Mr. Anindya Sundar Das
...for the respondent no. 1

- 1) Affidavit of service filed on behalf of the petitioner is taken on record.
- 2) Petitioner is working as Assistant in National Institute of Open Schooling (for short, “NIOS”), Regional Center, Kolkata from June, 2021 whereas husband of the petitioner is working as Senior Section Engineer (Design) and he is posted at North Central Railway/HQ/Prayagraj under Ministry of Railway, Government of India. It is disclosed in the representation of the petitioner dated 25th April, 2025 that petitioner has two children of tender age.
- 3) Attention of this Court has been drawn to clause 3.5(b) of the Transfer Policy of 2023 of

NIOS. According to the petitioner, in terms of clause 3.5 (b) if the husband of an employee is posted at a different place in that event effort needs to be made for transfer of wife to the station where husband is posted for unification.

4) Petitioner prays for consideration of her representation dated 25th April, 2025 and transfer from Kolkata to Prayagraj where her husband is posted.

5) Learned advocate representing Union of India has opposed this writ petition on the strength of clause 3.4 of Transfer Policy of 2023 of NIOS and it is submitted that in case of Assistant working in NIOS the incumbent has to complete seven years of service for seeking transfer.

6) Having considered respective submissions made on behalf of the parties, this Court finds that no useful purpose would be subserved in keeping this writ petition pending.

7) The Chairman, National Institute of Open Schooling being respondent no. 3 is directed to consider the representation of the petitioner dated 25th April, 2025 seeking transfer from Kolkata to Prayagraj by ten weeks from date of communication of this order in terms of Transfer Policy of 2023 of NIOS and a reasoned

decision shall be passed. The decision to be taken by the respondent no. 3 shall be communicated to the petitioner by fortnight thereafter.

8) Writ petition stands disposed of

9) There shall be no order as to costs.

10) Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)