

Form No. J(2)

Item No. DL / 03

RKD – A.R.(CT)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. NO 19779 OF 2025

Subrata Biswas

-Vs-

Union of India & Ors.

BEFORE: THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA

For the Petitioner : Mr. Anindya Lahiri,
Mr. Arijit Bera,
Mr. Anish Chakraborty,

For the Respondent Bank : Mr. Shiv Mangal Singh

Hearing concluded on : 13.01.2026

Judgment On : 13.01.2026

SAUGATA BHATTACHARYYA, J.:

1. Matter is heard at length in presence of the learned advocates representing the petitioner and Indian Bank Authorities.
2. Matter relates to transfer order dated 18th July, 2025 whereby petitioner was transferred to Stressed Asset Management (SAM)

Large Ahmedabad, Company Recovery Cell as Senior Manager from Chinsurah, West Bengal. Petitioner was previously working as Legal Officer in Zonal Office, Chinsurah, West Bengal.

3. In the writ petition transfer order dated 18th July, 2025 is questioned. In addition thereto, this Court is required to examine order dated 8th October, 2025 issued by the Chief General Manager which was passed in terms of the order passed by the Hon'ble Division Bench dated 24th September, 2025 passed on an intra Court appeal being MAT 1601 of 2025 (Subrata Biswas v. Union of India & Ors.).
4. In the said order dated 8th October, 2025 Chief General Manager affirmed the order of transfer dated 18th July, 2025 thereby transferring the petitioner to Ahmedabad.
5. Aforesaid intra Court appeal was disposed of by the Hon'ble Division Bench vide order dated 24th September, 2025 directing the competent authority of Bank to decide the representation of the appellant within a specified time and the outcome of such exercise was directed to be communicated to the appellant who is petitioner in the present writ petition.
6. Bank Authority was also directed to file a report before this Court in order to bring on record decision which was required to be taken in terms of the order dated 24th September, 2025 passed by the Hon'ble Division Bench.

7. In terms of the order dated 24th September, 2025 on behalf of the Bank Authority a report was filed in the form of affidavit which was affirmed on 31st October, 2025 enclosing the decision of the Chief General Manger dated 8th October, 2025.
8. In view of the observations as contained in the order dated 24th September, 2025 passed by the Hon'ble Division Bench it is found that all issues are kept open. Therefore, Court finds no impediment in deciding the issue relating to transfer of the petitioner in consideration of the order dated 8th October, 2025 of the Chief General Manager.
9. Mr. Lahiri, learned senior advocate representing the petitioner has submitted that order of transfer dated 18th July, 2025 read with subsequent order dated 8th October, 2025 of the Chief General Manager are contrary to the *TRANSFER POLICY FOR OFFICERS UPTO SCALE III VERSION 2.1* (hereinafter referred to as "said transfer policy") of Indian Bank requiring setting aside of decision of transfer of the petitioner from Chinsurah to Ahmedabad.
10. Reliance is placed on Clauses 1.3, 1.7, 5.5 and 5.9 of the said transfer policy. In addition thereto, other Clauses are also relied upon in order to substantiate case of the petitioner.
11. Reliance is also placed on judgment of Hon'ble Single Bench of Allahabad High Court dated 19th December, 2025 passed in the writ petition being *Writ-A No.-13255 of 2025 (Shubham Bhargava .v.*

Union of India through Ministry of Finance Department Financing Services New Delhi & Ors.).

12. It is also submitted in reference to order dated 8th October, 2025 of the Chief General Manager that petitioner never requested the Bank Authority for reconsideration of his transfer after decision was taken to transfer the petitioner from Asansol to Chennai. Same was not given effect, concerned authority modified transfer order and petitioner was posted at Zonal Office of Chinsurah on 5th October, 2024.
13. On behalf of the Bank Authorities submissions are made to resist the prayer of the petitioner relating to transfer which center around transfer order dated 18th July, 2025 and subsequent decision taken by the Chief General Manager on 8th October, 2025.
14. In terms of the order dated 20th November, 2025 a supplementary affidavit was affirmed on behalf of the Bank Authority on 1st December, 2025 enclosing email letter of the petitioner dated 22nd August, 2024 requesting the Bank Authority not to give effect to the order of transfer by which petitioner was decided to be transferred to Chennai in 2024.
15. It is also specifically submitted on behalf of the Bank Authority by drawing attention of this Court to relevant part of the order dated 8th October, 2025 that petitioner being a Specialist Officer was decided

to be transferred to Ahmedabad as per business requirement and administrative exigencies.

16. The chart showing chronological transfers of the petitioner from 2013 is disclosed under paragraph 2(d) of the report affirmed on 1st December, 2025. From the said chart, it appears that petitioner was transferred and posted at Asansol on 29th September, 2020 and nearly after a span of five years on 18th July, 2025 petitioner was decided to be transferred to Ahmedabad.
17. In the midst, petitioner was decided to be transferred to Chennai which was not given effect on the request of the petitioner as an email letter was made by the petitioner on 22nd August, 2024 requesting the Bank Authority not to give effect to the said transfer order for his posting at Chennai.
18. Therefore, it emanates that petitioner has been working first in Asansol and thereafter in Chinsurah from 29th September, 2020 till date of last transfer order dated 18th July, 2025 which is more than three years. It is not a transfer of the petitioner within a span of three years as such Clause 1.3 of the said transfer policy is not infringed.
19. It was also contended on behalf of the petitioner in reference to Clause 1.7 of the said transfer policy that Bank should make an endeavour to complete the transfer exercise by 30th June of every year.

20. In the present case, petitioner was decided to be transferred on 18th July, 2025 i.e. post 30th June of that particular year (2025) which is impermissible. However, Clause 1.7 contemplates midterm transfer is permissible in case of promotion and administrative exigencies.
21. In the order dated 8th October, 2025 it is specifically spelt out that the petitioner is Specialist Officer who needs to be deployed in areas of his domain. According to the Bank Authority, such Specialist Officer is involved in supporting services of Bank's core business and as such his transfer is being dealt with separately. Therefore, administrative exigencies as it is provided under Clause 1.7 of the said transfer policy is explained in the said order dated 8th October, 2025 requiring transfer of the petitioner being Specialist Officer for supporting service of Bank's core business. Therefore, as a special case Court does not find it necessary to interfere with the transfer order as administrative exigencies are involved.
22. Under Clause 5.5 of the said transfer policy, Bank is required to make an endeavour to accommodate Officers in respective 'Linguistic Region' to ensure seamless customer service subject to availability of vacancies, administrative requirements of the Banks, etc.
23. Therefore, there is no specific provision that petitioner is required to be transferred within the 'linguistic region' considering the vernacular of the petitioner as it is explained in order dated 8th

October, 2025 that administrative exigency is one of the grounds for transferring the petitioner vide transfer order dated 18th July, 2025.

24. Reliance is placed heavily on Clause 5.9 of the said transfer policy wherein it is provided that Bank shall endeavour to publish seniority list of Officers for each Zone/FGMO/State online on an annual basis along with existing/expected vacancies at different Zones/FGMOs; order of movement of the Officers will be as per said seniority list.
25. On reading Clause 5.9, it appears that Bank Authority shall make an endeavour to publish seniority list but if such seniority list is not published it is not contemplated that there shall not be any transfer specially when such transfer is required on administrative exigencies. However, it is expected that Bank Authority shall take necessary steps for early publication of seniority list as contemplated under Clause 5.9.
26. It was specifically submitted on behalf of the petitioner as recorded in paragraph 4 of the order dated 20th November, 2025 that petitioner did not make request not to transfer him to Legal Department, Corporate Office, Chennai but same appears to be incorrect submission made on behalf of the petitioner perhaps due to wrong instruction given to the learned advocate.
27. It is disclosed in the report of the Bank Authority which was affirmed on 1st December, 2025 that previously a request was made

vide online email letter dated 22nd August, 2024 after decision was taken to transfer the petitioner to Legal Department, Corporate Office, Chennai and acceding to such request petitioner was not transferred to Chennai rather petitioner was permitted to be posted at Chinsurah with effect from 5th October, 2024 and worked there till 5th August, 2025 and thereafter vide transfer order dated 18th July, 2025 petitioner was decided to be transferred to Ahmedabad. Therefore, it transpires that once request of the petitioner was accepted and previous transfer order was not given effect to.

28. Decision rendered in *Shubham Bhargava* (supra) by Hon'ble Single Bench of Allahabad High Court dated 19th December, 2025 does not come in aid of the petitioner since on the fact situation that Bank Officer was in service for more than nine years outside his home State decision was taken therein.
29. Here situation is reverse as petitioner is working from 29th September, 2020 in home State and once decision to transfer the petitioner to Chennai was postponed.
30. In view of aforesaid consideration, Court is not inclined to interfere with the transfer order dated 18th July, 2025 and subsequent decision of the Chief General Manager dated 8th October, 2025.
31. Hence, the writ petition stands dismissed.
32. However, there shall be no order as to costs.

33. Urgent photostat certified copy of this judgment, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)