21.
(DL)

25.09.2025
Ct. No. 18
(ARPAN**)**

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. 20767 OF 2025

AKIB SK.
VS.
THE STATE OF WEST BENGAL & OTHERS

Mr. Biswajit Tiwari, Adv.
...for the Petitioner

Mr. Jayabandhu Roy, Adv.
Ms. Debangana Dey, Adv.
...for the State

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.

2. Petitioner made an application for transfer on the ground of distance between the present school of the petitioner and his place of residence on 11th August, 2025 and prayer is made for taking steps based on said transfer application.

3. State respondents are represented by learned advocates.

4. On perusal of the transfer application dated 11th August, 2025, it transpires that same was not made in prescribed *pro-forma*. In this regard reliance is placed on the order dated 14th February, 2025 passed by the Hon'ble Division Bench on an *intra-court* appeal being ***FMA 103 of 2025 (Tanushri Karmakar vs. The State of West Bengal & Ors.)***.

5. It was succinctly decided in ***Tanushri Karmakar*** *(supra)* 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. It is admitted position that petitioner failed to make application in prescribed *pro-forma*. Therefore, ratio of ***Tanushri Karmakar*** *(supra)* applies. Hence, no relief can be granted to the petitioner based on such transfer application dated 11th August, 2025.

7. Hence, writ petition stands dismissed.

8. However, this order shall not preclude the petitioner to apply for transfer in future, in accordance with law.

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

(Saugata Bhattacharyya, J.)