

GAHC010215702025



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/5629/2025

KUNAL DEB ROY
SON OF KIRANMAY DEB ROY, RESIDENT OF 5TH BYE LANE, SHANTI
PATH WEST, HOUSE NO. 20, BHASKAR NAGAR, GUWAHATI-781018.

VERSUS

THE STATE BANK OF INDIA AND 5 ORS
REPRESENTED BY THE CHAIRMAN, STATE BANK OF INDIA, STATE BANK
BHAVAN, MADAME CAMA ROAD, NARIMAN POINT, MUMBAI
MAHARASHTRA-400021.

2:THE CHIEF GENERAL MANAGER
STATE BANK OF INDIA
NORTH EAST CIRCLE
LOCAL HEAD OFFICE
DISPUR
GUWAHATI-781006.

3:THE DEPUTY GENERAL MANAGER AND CIRCLE DEVELOPMENT
OFFICER
STATE BANK OF INDIA
LOCAL HEAD OFFICE
DISPUR
GUWAHATI-781006.

4:THE DEPUTY GENERAL MANAGER (BUSINESS AND OPERATION)
STATE BANK OF INDIA
GUWAHATI ZONE
ADMINISTRATIVE OFFICE
BHANGAGARH
GUWAHATI-78103.

5:THE ASSTT GENERAL MANAGER (HR)
STATE BANK OF INDIA LOCAL HEAD OFFICE DISPUR GUWAHATI-06.

6:THE CHIEF MANAGER (HR)
STATE BANK OF INDIA
BHANGAGARH
GUWAHATI-781003

Advocate for the Petitioner : MR. M DAS, MR. A DAS,MS. P NEOG

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

22.09.2025

Heard Mr. M. Das, learned counsel for the petitioner.

This writ petition has been filed by the petitioner, who is an employee of the SBI Bank and posted in Guwahati, being aggrieved by the common transfer order dated 29.07.2025, whereby the petitioner was transferred from Guwahati to Barpeta. The name of the petitioner appears at Serial No.2 of the said common transfer order.

The learned counsel for the petitioner submits that he is the caregiver of his father who is a person with benchmark disability of "locomotor disability" and unable to move because of ailments suffered by him and the petitioner claims to be only caregiver of the family therefore, his father requires constant medical attention therefore, his transfer to Barpeta will put him in a position where he will not be able to give the necessary care to his father. The learned counsel for the petitioner has referred to the Office Memorandum dated

08.10.2018 and Circular dated 07.02.2019 issued by the SBI regarding the transfer and posting of employees who are caregivers of disabled dependents. In terms of the said circular employees have to submit copy of the disability certificate and they may be exempted from rotational transfers. He has also referred to the Uniform Transfer Policy of the bank where at Clause No.4.5.2 caregivers of disabled dependents are exempted from the rotational transfers. He submits that the petitioner represented before the authorities highlighting his conditions that he is the only caregiver of his disabled father who is suffering from "locomotor disability". However, the same stood rejected on the ground that no certificate was uploaded in the web portal. It is submitted that the medical certificate received by the petitioner was uploaded in the web portal on 29.05.2025. Under such circumstances, the learned counsel for the petitioner submits that this impugned transfer order is contrary to the transfer policy itself therefore, he prays for appropriate order and during the pendency of the writ petition prays for stay of the impugned transfer order.

Having heard the learned counsel for the petitioner and upon perusal of the writ petition and the enclosures, it is seen that the SBI has a policy of exempting the caregiver of disabled dependents from rotational transfers. From the documents, it is seen that the petitioner has a dependent father who is suffering from the "locomotor disability". *Prima facie* it appears that the petitioner is the only caregiver of the disabled dependent namely his father has not been taken into consideration by the bank authority.

Accordingly, till the next date the impugned transfer order 29.07.2025 in so far as the writ petitioner is concerned shall not be given effect to.

The SBI is not represented by the learned counsel therefore, let notice be issued making it returnable within 03.11.2025.

Steps on the respondents shall be taken by Registered post with A/D as well as usual course within a period of one week from today.

The petitioner is also permitted to take steps through dasti service on respondent No.6 and file necessary affidavit before this Court.

Matter be listed on 03.11.2025.

JUDGE

Comparing Assistant