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

Case No. : WP(C)/6085/2025

SMTI SARMISTHA BORAH
WIFE OF KAUSHIK KRISHNA SAIKIA, RESIDENT OF FLAT NO. 507G,
BLOCK-A, GANGA SHANTI APARTMENT, BAGHARBORI TINIALI,
PANJABARI, GUWAHATI, DISTRICT-KAMRUPM, ASSAM, PIN-781037.

VERSUS

THE ASSAM GRAMIN VIKASH BANK AND 4 ORS.
HAVING ITS HEAD OFFICE AT ADAMS PLAZA, G. S. ROAD,
CHRISTIABASTI, GUWAHATI-781005, REPRESENTED BY ITS CHAIRMAN.

2:THE CHAIRMAN
ASSAM GRAMIN VIKASH BANK
HEAD OFFICE
ADAMS PLAZA
G.S.ROAD
CHRISTIABASTI
GUWAHATI-781005.

3:THE GENERAL MANAGER
ASSAM GRAMIN VIKASH BANK
HEAD OFFICE
ADAMS PLAZA
G.S. ROAD
CHRISTIABASTI
GUWAHATI-781005.

4:THE ASSISTANT GENERAL MANAGER AND REGIONAL MANAGER
ASSAM GRAMIN VIKASH BANK
REGIONAL OFFICE
GUWAHATI
RAJGARH ROAD

CHANDMARI GUWAHATI-781003.

5:THE REGIONAL MANAGER.
ASSAM GRAMIN VIKASH BANK
REGIONAL OFFICE
GOLAGHAT
PO DISTRICT- GOLAGHAT
ASSAM
PIN-785621

Advocate for the Petitioner : MR. D CHOUDHURY, MS. A KHARBANI,MR. R K SARMA,MR J DAS,MR T CHAKRABORTY

Advocate for the Respondent : SC, A G V B,

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

29.10.2025

Heard Mr. T. Chakraborty, learned counsel for the petitioner. Also heard Mr. A. Ganguly, learned Standing Counsel, AGVB.

This petition is filed by the petitioner putting to challenge the transfer order dated 15.10.2025, whereby the petitioner was transferred from the Regional Office, Guwahati of the Assam Gramin Vikash Bank to Ganakpukhuri Branch in the Golaghat District as Branch Head.

It is submitted that the petitioner earlier was posted in Golaghat and subsequently on promotion she was transferred to the Guwahati Branch by order dated 07.08.2020. Thereafter, on 05.05.2025 she was posted at the Guwahati Regional Office from her earlier posting, which is Guwahati Branch of the Assam Gramin Vikash Bank.

It is submitted by the learned counsel for the petitioner that these

transfers are violative of the transfer policy of the bank. According to the learned counsel for the petitioner the transfer policy clearly provide that insofar as the female officers are concerned, the bank authorities will attempt to transfer as far as possible to nearby places/stations/regions where their husbands or parents are stationed based on the availability of vacancy and administrative convenience. It is also pointed out by the learned counsel for the petitioner that normally the officers shall not be rotated or transferred before completion of one year. It is therefore, submitted that the petitioner was transferred in the month of May, 2025 to the Regional Office in the same capacity or cadre and now within 5 months she is again being transferred as a Branch Head in Golaghat. That apart the husband and the mother-in-law of the petitioner are suffering from various ailments and require constant medical care and supervision. The petitioner is also under medical treatment for anxiety and stress. Under such circumstances, it is submitted that the impugned transfer order be interfered with and the authorities be directed to permit the petitioner to be retained in the present place of posting and/or accommodate her as per the transfer policy and guidelines. It is also submitted that the petitioner had applied for medical leave which was issued by the authority on 17.10.2025. However, on 23.10.2025, she was also released from the Regional Office allowing her to join in a new place of posting. It is therefore, submitted that during the pendency of the writ petition appropriate interim protection be granted.

Mr. A. Ganguly, the learned Standing Counsel for the respondent Bank strongly objects to the submissions made by the learned counsel for the petitioner. He submits that there is no infirmity in the transfer order issued to the petitioner. The petitioner had been posted in Guwahati for more than 5

years and therefore, as per the policy itself, she was required to be transferred out.

However, on the question of whether the petitioner can be accommodated in nearby stations as per the clause 4 of the transfer policy and guidelines under the heading "Common guidelines of Transfer", the learned Standing Counsel, submits that he would like to obtain his instructions.

As agreed to by the learned counsel for the parties, let this matter be listed again on 03.11.2025.

Till the next date fixed, the impugned transfer order pertaining to the writ petitioner and the consequential release order shall not be given effect to.

Although, notices are not issued in the matter, extra copies of the writ petition be furnished during the course of the day.

JUDGE

Comparing Assistant