

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. NO. 29185 OF 2025

ANIRBAN CHAKRABORTY

Vs.

THE STATE OF WEST BENGAL & OTHERS

BEFORE: THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA

For the Petitioner : Mr. Sarajit Sen, Adv.
Mr. Saumyen Datta, Adv.
Mr. Tapas Singha Roy, Adv.

For the High Court Administration : Mrs. Sohini Chakrabarty, Adv

Hearing concluded on : 20.01.2026

Judgment On : 20.01.2026

SAUGATA BHATTACHARYYA, J.:

1. Matter is heard in presence of the learned advocates representing the petitioner and the High Court Administration.
2. In terms of the order dated 6th January, 2026, records are produced before this Court containing observation of the District Judge, South 24 Parganas relating to transfer of the petitioner being Stenographer,

Grade-III from the judgeship of South 24 Parganas to the judgeship of Hooghly.

3. Learned advocate representing the petitioner submits that in terms of the scheme relating to inter-district transfer of an employee working under district judgeship, an application was made by the petitioner seeking transfer from the judgeship of South 24 Parganas to the judgeship of Hooghly.
4. As per the scheme of inter-district transfer, observation was forwarded by the District Judge, South 24 Parganas to the Registrar (Judicial Service), High Court, Calcutta and according to the petitioner, based on such observation of the District Judge, transfer application of the petitioner was not allowed.
5. On behalf of the petitioner, prayer is made to disclose the observation made by the District Judge, South 24 Parganas relating to transfer of the petitioner which was forwarded to the Registrar (Judicial Service), High Court, Calcutta.
6. It is submitted on behalf of the petitioner that observation made by the District Judge, South 24 Parganas ought not to be treated as secret document and the same is required to be disclosed in order to find out possibility of petitioner's transfer from one district to another. It is also submitted that similarly circumstanced another candidate was permitted to take transfer.

7. On perusal of the records as produced by the learned advocate representing the High Court Administration, it appears that in relation to transfer application of the petitioner, on 16th May, 2025 Registrar (Judicial Service), High Court, Calcutta informed the District Judge, South 24 Parganas that in consideration of the observation made in the letter of the said District Judge dated 16th April, 2025, as per conditions contained in the scheme of inter-district transfer, transfer of the petitioner is not permissible.
8. As per the scheme relating to inter-district transfer of employees based on application made by an employee, in terms of Clause 3(i), District Judge under whom employee is working is required to forward the said transfer application along with his views stating, *inter alia*, that in case of transfer of the applicant whether any inconvenience/problem will be caused in running day to day administration in the judgeship or not.
9. Letter of the District Judge dated 16th April, 2025 as placed before this Court on behalf of the High Court Administration does not support transfer of the petitioner on certain grounds delineated therein. Therefore, Clause 3(i) is not fulfilled while processing transfer application of the petitioner seeking transfer from one district to another.
10. Petitioner made application under Right to Information Act, 2005 to the concerned authority of judgeship of Alipore for disclosure of views expressed by the District Judge, South 24 Parganas in relation to

petitioner's transfer but in response to said application of the petitioner dated 23rd June, 2025, Registrar, District Judge's Court, South 24 Parganas, Alipore *vide* letter dated 19th July, 2025, refused to disclose the observation made by the District Judge, South 24 Parganas relating to petitioner's transfer pointing out relevant provisions of Right to Information Act, 2005.

11. It is open to the petitioner to prefer appeal against such communication dated 19th July, 2025 in terms of the provisions of Right to Information Act, 2005.
12. In the present case, issue is whether petitioner can be transferred from South 24 Parganas to Hooghly in terms of relevant transfer scheme or not and not dissemination of information relating to observation made by the District Judge, South 24 Parganas in connection with transfer application of the petitioner.
13. On perusal of the observation made by the District Judge, South 24 Parganas in relation to transfer application of the petitioner, it can be recorded herein that transfer of the petitioner from the judgeship of South 24 Parganas to the judgeship of Hooghly was not recommended by the said District Judge.
14. In view of aforesaid, no relief can be granted to the petitioner in the present case.
15. Writ petition stands dismissed.

16. There shall be no order as to costs.
17. Records which are produced on behalf of the High Court Administration are returned back to the learned advocate representing the High Court Administration.
18. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)