

01.03.2021
Srimanta
Sl. No. 46
Ct. No. 13

IA No.:CAN/1/2020
in
WPA/6964/2020
[Via Video Conference]

Tripti Acharyya (Banerjee)
-Vs.-
The State of West Bengal & Ors.

Mr. Joydip Banerjee, Adv.,
Mr. Abhishek Banerjee, Adv.,
Mr. Shatanik Ghosh, Adv.,
...for the petitioner.

Mr. Arjun Ray Mukherjee, Adv.,
Mr. Joydeep Acharya, Adv.
...for the respondents.

The petitioner is presently posted at Ghat Rangamati Sub-centre as an A.N.M. The petitioner claims that certain orders have been passed transferring her to Taljuri Sub-centre. Orders of transfer have been passed and recalled. Some orders of transfer were passed by the C.M.O.H. and some orders were passed by the B.M.O.H., who is a subordinate. The petitioner, therefore, submits that she is being transferred arbitrarily and is unable to get along with her colleagues.

The grievance of the petitioner as regards the transfer cannot be sustained, as it is an incident of service. The power and orders of transfer of the C.M.O.H. can definitely be exercised by his immediate Sub-ordinate, the B.M.O.H. and the Court cannot interfere in this regard. As for frequent transfers, this Court notes that the same can be ordered by the State given the health issues in areas.

The C.M.O.H., Purulia may, however, consider the number of transfers actually undergone by the petitioner while taking any decision of future transfer. The aforesaid direction is obviously subject to any administrative exigency that the C.M.O.H., Purulia may have.

Insofar as the petitioner's inability to get along with her colleagues she may take suitable counseling in this regard. The Writ Court is not a forum to assist the petitioner in this regard.

The writ petition is, therefore, **disposed of** without any further order.

No order as to costs.

Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)