

WPA 15777 OF 2022

Mrinmayee Mukherjee

Vs.

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Bina Baidya
Mr. Abhishek Bose.

...For the Petitioner

Dr. Sutanu Kr. Patra
Ms. Supriya Dubey.

...For the Respondent
No.3

The petitioner claimed to be an Assistant Teacher for the subject – **History at Srirampur Bharati Bhavan High School (H.S.), District – Purba Burdwan.** The petitioner applied for transfer on May 22, 2022 which was rejected by the respondent no.5 on June 29, 2022 on the ground that it was a case of General Transfer. The **petitioner's case had fallen within the restriction of 10% of the total strength of teachers.**

None appears for the State.

Ms. Supriya Dubey, learned counsel led by Dr. Sutanu Kumar Patra, learned counsel appeared for the respondent no.3.

After considering the submissions made on behalf of the parties and upon perusal of the materials on record it appeared that the case of the petitioner was rejected by the appropriate authority after causing fact finding

inquiry. No material has been placed before this Court contrary to the finding made by the respondent no.5 on the basis of the available facts before him.

This Court sitting in a writ jurisdiction shall only look into the decision making process of the authority and shall not endeavour to cause a further fact finding inquiry over and above the inquiry made by the appropriate authority. A writ Court is not a court of appeal.

For the foregoing reasons and discussions this Court is of the view that the impugned decision of the respondent no.5 does not warrant any interference by this Court. Accordingly, the same stands affirmed.

However, this order shall not preclude the writ petitioner to apply afresh strictly in accordance with law and strictly in terms of the prevailing transfer policy at the relevant point of time.

This writ petition, **WPA 15777 of 2022** is devoid of any merit and resultantly stands dismissed, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)