

Item No. 16

In The High Court At Calcutta
Constitutional Writ Jurisdiction

14.1.2020
Ct-24

WP No. 13 (W) of 2020
Anjuara Begum Alias Anju Bibi & Ors.
v.
The State of West Bengal & Ors.

Ms. Papiya Chattopadhyay
... for the petitioners.

Mr. Robiul Islam
... for the State.

The instant writ petition has been filed by six petitioners by putting in only one Court fees.

The learned advocate appearing for the petitioners is directed to deposit the deficit Court fees by January 15, 2020. In default, the order passed herein shall be restricted in respect of the petitioner no. 1 and the writ petition shall be deemed to have been dismissed in respect of the others.

In response to an advertisement published for appointment of Anganwadi Helpers under the Child Development Project Officer, Coochbehar-I ICDS Project the petitioners applied for being appointed in the said post in the year 2009.

The petitioners were called for interview in June 2010 and again in September and October 2012. It is the contention of the petitioners that since thereafter no step was taken by the respondent authorities for giving appointments in favour of the successful candidates in view of Court cases which

were pending disposal before the Hon'ble High Court at Calcutta challenging the said recruitment process. It is only after the Hon'ble Division Bench by an order dated January 31, 2018 passed in FMA No. 525 of 2015 directed the respondent to fill up the vacancies from the selected candidates in furtherance of the recruitment process initiated by the advertisement dated 8th July, 2010, ignoring the age criterion but subject to the candidates complying with the routine formalities the respondents resumed the steps for filling up the vacancies of the Anganwadi Helpers.

The petitioners submit that the authorities ought to conclude the selection process which was initiated in the year 2009 for appointment of Anganwadi Helpers under the Child Development Project Officer, Coochbehar-I ICDS Project.

The petitioners through their learned advocate made a representation ventilating their grievances before the respondent authorities in March 2019. The said representation has not been considered by the respondent authorities till date.

The learned advocate representing the State respondents submits that the panel which was prepared was valid only for a period of two years. Since the recruitment process was initiated in the year 2009 the panel, if any, prepared stood lapsed due to efflux of time.

In view of the submissions made on behalf of both the parties it appears from records that the Hon'ble Division Bench in the year 2018 directed the respondents to fill up the vacancies pursuant to the recruitment process initiated by the department in the year 2010 in respect of the Dinhata-I ICDS Project.

Though, there is no specific order in respect of the Coochbehar –I ICDS Project but the petitioners have been instructed by the authority that until and unless order was passed by the appellate court on the appeal filed by the State respondents no steps will be taken for filling up the vacancies in question. The petitioners through their learned advocate have already approached the respondent authorities by filing representation for redressal of their grievances in March 2019 but the same has not been considered by the respondents till date.

Accordingly, the instant writ petition is disposed of by directing the respondent no. 7 being the Child Development Project Officer, Coochbehar-I to take necessary steps for consideration of the representation made by the petitioners in March 2019 within a period of eight weeks from the date of receipt of a copy of this order. The said respondent shall pass a reasoned order and communicate the same to the petitioners within a fortnight thereafter.

The Child Development Project Officer, Coochbehar-I, if required, may take the assistance and guidance of the respondent no. 5 being the District Magistrate, Coochbehar and the respondent no. 6 being the District Programme Officer, ICDS Project, Coochbehar for disposal of the representation of the petitioners.

It is made clear that this Court has not gone into the merits of the case and all points are left open to be decided by the said respondent at the time of consideration of the prayer of the petitioners.

WP No. 13(W) of 2020 is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)

Later:

It is recorded that the deficit court fees have been paid in respect of all the petitioners vide receipt no. A1150 dated 15th January, 2020.

(Amrita Sinha, J.)