

16.01.2020

Ct. No. 24

Item No.28

pk.

W. P. No. 23521 (W) of 2019

Kalpana Barman (Mandal) & Ors.

-vs-

The State of West Bengal & Ors.

Ms. Papiya Chattopadhyay for the petitioner

Mr. Tapan Kr. Mukherjee, Sr. Advo.

Mrs. Karabi Roy for the State

It is recorded that the learned advocate for the petitioners has deposited the deficit court fees under Receipt No. A-1154 dated 15.01.2020.

Pursuant to an advertisement in the year 2006 for appointment of Anganwadi Helpers in different Gram Panchayets under the Dinhata –I ICDS Project, Coachbehar the petitioners applied for the said post. The petitioners are Scheduled Caste and OBC category candidates.

The grievance of the petitioners is that even though their names featured in the panel of selected candidates, appointment letters have not been issued in their favour till date.

The petitioners approached this court on an earlier occasion by filing writ petition being WP No. 13582 (W) of 2017. The said writ petition was disposed of by an order dated 11th May 2017 whereby the petitioners were directed to make a representation and the respondents were directed to consider the said

representation by taking into account the judgment dated 16th November 2016 passed in W.P. No. 30495 (W) of 2014.

The petitioners submit that in terms of the direction of this Hon'ble court appointment has been given to some of the general category candidates but no one from the Scheduled Caste or the other Backward classes category has been favoured with the letter of appointment.

The petitioners raised their grievances once again by filing a representation through their learned advocate in July 2019. The petitioners allege that the said representation has not been considered by the respondent authorities till date.

The learned advocate representing the State respondent submits that the panel, if any, prepared remained valid only for a period of two years.

From the submissions made on behalf of the parties and upon perusing the documents placed before this court, it appears that the recruitment process which was initiated in the year 2006 was stalled for a considerable period of time due to several litigations pending before this court. Only after order was passed by the Hon'ble Division Bench in FMA No. 525 of 2015 on 31st January 2018, the process for issuance of appointment letters and completion of the selection process resumed once again. The appointment letters have been issued in respect of the successful candidates even in the year 2019.

Accordingly, the instant writ petition is disposed of by directing the respondent no. 7 being the Child Development Project Officer, Dinhata-I ICDS Project to take prompt necessary steps to consider the representation that was made on behalf of the petitioners in July, 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.

W.P. No. 23521 (W) of 2019 is disposed of.

Since the writ petition is disposed of without calling for any affidavits, accordingly, the allegations made in the writ petition are deemed not to have been admitted by them.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)