

01.03.2021.
Item no. 27.
Court No.13
ap

**W.P.A. No. 2804 of 2020
(Through Video Conference)**

**Bela Biswas (Sarkar)
Versus
The State of West Bengal & Ors.**

Md. Sarwar Jahan,
Mr. Asraf Mandal.

...For the petitioner.

Mr. Swapan Kumar Datta,
Mr. Tapas Kumar Dey.

...For the State.

The writ petitioner has been repeatedly litigating before this Court alleging impropriety in the process of selection to the post of ASHA Karmee in Muragacha Gram Panchayat under Nakashipara Block in Nadia district.

Diverse orders have been passed by various Benches of this Court. Pursuant to the said orders, the District Magistrate, Nadia by an order dated 21st November, 2007, set aside the selection process and directed fresh process of interview to be conducted by the Block Development Officer, Nakashipara.

The matter has since been pending.

Counsel for the petitioner submits and Mr. Swapan Kumar Datta for the State concurs that by a Notification dated 27th June, 2012, the State Mission Director, National Rural Health Mission, West Bengal and the Secretary to the Government of West Bengal

have framed fresh Rules for selection of ASHA Workers.

The said Rules have to govern any process of recruitment or engagement of Asha Karmee in the State.

The petitioner admittedly, who has been litigating in this Court since the year 2007, has made out a case for consideration.

Hence, the respondent no.9, namely, Sub-Divisional Officer, Krishnagar, Nadia shall undertake the process of selection to the post of ASHA Karmee in Muragacha Gram Panchayat under Nakashipara Block in Nadia district, in terms of the Notification dated 27th June, 2012 as and when vacancies in this regard occur.

The petitioner shall be entitled to participate in such process of selection and suitable relaxation in age must be allowed to the petitioner by the Sub-Divisional Officer, Krishnagar and District Magistrate, Nadia.

Since no affidavits have been called for by this Court, the allegations in the writ application shall not be deemed to have been admitted by any of the respondents.

With the aforesaid directions, the instant writ application shall stand disposed of.

There will be no order as to costs.

In Re: CPAN 1390 of 2017

Although the matter is not listed, by consent of the parties, the same is treated as on day's list and disposed of in view of the statements made in paragraph 17 of WPA No. 2804 of 2020.

Rule, if any, shall stand discharged.

Interim orders, if any, shall stand vacated.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

(Rajasekhar Mantha, J.)