

18-01-2021
ct no. 13
Sl.13
pk

**WPA 4889 of 2020
(Via Video Conference)**

**Smt. Anita Das (Rajak)
Versus
State of West Bengal and others**

**Mr. Arkadipta Sengupta
...for the petitioner**

**Mr. Joytosh Majumder
Mr. Raja Saha,
Mrs. Kakali Samajpati
... for the State**

Affidavit of service filed in Court is taken on record.

By an order dated 9th October, 2018 in W. P. 1775(W) 2012 the claim of the petitioner, seeking engagement in an Anganwari Worker, was rejected. The ground indicated by the Coordinate Bench is that the petitioner was empanelled in the year 2011 and cannot have any enforceable rights in the year 2018.

The order was carried in appeal and confirmed in FMA 694 of 2019 by a Division Bench of this Court for its order dated 21st November, 2019.

Notwithstanding the above, the petitioner made a representation before the respondent no.

3 through his advocate for engagement against any available vacancy.

This Court notes that the said letter dated 10.12.2019, issued on the instructions of the petitioner, is misleading, as the Co-ordinate Bench of the order dated 09.10.2018(supra) has only reserved liberty to the petitioner to apply in case of any advertisement for recruitment to be made by the respondents.

This Court finds that the writ petition is in gross abuse of process of law and the prayer made for consideration is an attempt to mislead the respondent authorities and this Court.

Hence, the instant writ petition is dismissed with costs assessed at Rs.1100/- to be paid by the petitioner to the State within a period of one month from date.

In default of payment as indicated hereinabove, the State shall be entitled to recover the same under the provisions of the Bengal Public Demands Recovery Act, 1913.

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

(Rajasekhar Mantha, J.)