

30.9.2021
Court No. 19
Item no. 39

sn

WPA No13854 of 2021

Sushmita Barman(Mandal)

Vs.

State of West Bengal & Ors.

(via video conference)

Mr. Fazlul Haque

Mr. Sanatan Mondal

..for the petitioner

Ms. Sipra Mazumder

Mr. Ayan Banerjee

..for the State

The petitioner alleges that despite there being an approval of the Finance Department, Government of West Bengal for filling-up the post of Anganwadi Sahayika (Helper) as per the communication from the Director I.C.D.S., West Bengal to the District Magistrate of several districts dated January 15, 2021, no steps have yet been taken by the District Magistrate Malda to appoint the petitioner.

The petitioner contends that she was selected by a recruitment process for the post of Anganwadi Sahayika (Helper) sometime in 2011. The name of the petitioner appeared in the list prepared by the selection committee on March 1, 2011 but the recruitment was not made.

Under such circumstances, this writ petition is disposed of with a direction upon the District Magistrate, Malda, to dispose of the prayer of the

petitioner in accordance with law on the basis of the communication of the Director of I.C.D.S., Government of West Bengal issued to the District Magistrates of different districts of West Bengal.

The question whether the recruitment process in which the petitioner participated is the same recruitment process which has been mentioned in the communication dated January 15, 2021 is left open for a decision by the concerned District Magistrate. If it is found that the contention of the petitioner in the writ petition is correct then the District Magistrate shall act and proceed on the basis of the said communication.

If the petitioner is not qualified under the law or if the contentions of the petitioner are incorrect, then a reasoned an order should be passed and communicated to the petitioner. The entire exercise shall be completed expeditiously preferably within a period of eight weeks from the date of communication of this order.

The petitioner is directed to communicate this order along with a copy of the writ petition to the District Magistrate, Malda for compliance. This court has not gone into the merits of the case and this order shall not be construed as recognition of any right of the petitioner to be appointed.

This writ petition is disposed of.

There will be, however, no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)