

21.09.2021
Sl. No.33
akd

***Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction***

**W.P.A. 820 of 2019 [via video conference]
CAN 1 of 2021**

[Rajjak Haque Sarkar -Vs- The State of West Bengal & Ors.]

Ms. Sulagna Bhattacharya
... .. for the petitioner

Mr. Jagriti Mishra
Mr. Debayan Goswami
Mr. Subham Gupta
... for the intervenor

Mr. Subir Kumar Saha
Mr. Bikramaditya Ghosh
... .. for the State

In Re : CAN 1 of 2021

By consent of the parties, CAN 1 of 2021 is treated as on day's list and taken up for consideration.

This is an application filed by one Sahera Bibi for intervening in the instant matter. The applicant claims that she is vitally interested in the instant writ petition since she has applied for the post of Anganwadi Helper under the Gram Panchayat, Cooch Behar Block-I.

It is submitted that the prayers of the writ petitioner interfere with her right of such appointment.

Considering the facts and circumstances of the case, this Court is of the view that the applicant may be added as party respondent to the instant proceeding.

Registry shall carry out the amendment by handwriting in course of the day.

In Re : W.P.A. 820 of 2019

Learned counsel for the added respondent namely, Ms. Sahera Bibi makes submissions and prays for vacating of the interim order dated 20th January, 2020. In the said order the question of locus standi of the petitioner to maintain the writ petition was kept open.

It is submitted by the added respondent that the writ petitioner namely, Rajjak Haque Sarkar being a male could not have been eligible for any post of Anganwadi worker. He, therefore, has no locus of grievance in respect of any of the recruitment of Anganwadi workers by the respondents.

It is also submitted that the writ petition may even otherwise has become infructuous since the name of Partha Pratim Roy, who was the Vice-chairman of the District Selection and Managing Committee, Cooch Behar has been removed and the selection committee reconstituted.

In that view of the matter, this Court is of the clear and considered view that the writ petition is not maintainable at the instance of Rajjak Haque Sarkar and may otherwise have become infructuous.

Hence, the writ petition shall stand dismissed.

All interim orders particularly the one dated 28th January, 2020 shall stand vacated.

There shall be no order as to costs.

All parties are to act on a server copy of this order
duly downloaded from the official website of this court.

(Rajasekhar Mantha, J.)