

19.05.2022
Sl. No.20
srm

W.P.A. No. 62 of 2017

Anima Pathak (Patra)

Versus

The State of West Bengal & Ors.

Mr. Dilip Kumar De,
Mr. Arunava Pati

...for the Petitioner.

Mr. Pantu Deb Roy,
Mr. Subrata Guha Biswas

...for the State-respondents.

The petitioner alleges that although the petitioner was selected as an ASHA worker in respect of Simlapal Block Primary Health Centre by the Pradhan of Bikrampur Gram Panchayat, Bankura, the order of engagement was not issued. The further allegation of the petitioner is that the Block Medical Officer of Health, Simlapal Block was forwarded all the documents with regard to such selection, but the petitioner's case had not been considered. It is also submitted that the post is still lying vacant.

Mr. Deb Roy, learned Advocate appearing on behalf of the State-respondents, submits that the writ petition has died a natural death in view of the passage of time. He submits that whether any selection process was at all concluded or whether the petitioner's claim of being selected was correct, cannot be ascertained at such a belated stage.

This Court does not find any reason to keep the writ petition pending. The demand of justice made by the petitioner dated November 24, 2016 through her learned Advocate, be considered by the Block Medical Officer of Health, Simlapal Block, Bankura in accordance with law. A reasoned order shall be passed and communicated to the petitioner. The petitioner as also the competent authority of the Bikrampur Gram Panchayat shall be heard.

The entire exercise shall be completed within a period of four months from the date of communication of this order.

This order shall not be construed as an opinion of this Court on the right of the petitioner to be engaged as a ASHA worker. The authority shall decide the issue independently.

This writ petition is, thus, disposed of.

There will be no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)