

M/L 403
23.11.2022
Court. No. 19
GB

W.P.A. 5367 of 2022

Sima Das
VS
The State of West Bengal & Ors.

Mr. Debabrata Mondal,
Ms. Sreetama Neogi.

...for the Petitioner.

Mr. Santanu Kr. Mitra,
Mr. Ganga Prasad Mukherjee.

...for the State.

Affidavit-of-service filed in Court today, be kept with the record.

The petitioner alleges that although the petitioner was enlisted as the first general category candidate in the panel prepared by the selection committee for appointment to the post of ASHA at Ramnagar sub-centre within Beldanga-II Development Block, no steps have yet been taken by the authority to issue the letter of appointment.

The petitioner has relied on the panel, which is Annexure-P/2 at page 26 of the writ petition.

Although the panel is of 2018 and more than 4 years have lapsed since the preparation thereof, it is not clear to the Court whether the panel is still alive or had expired due to efflux of time.

It appears that the petitioner approached the Block Medical Officer of Health, Beldanga-II by filing a representation dated September 3, 2019. The said representation is yet to be disposed of.

The writ petition is disposed of with a direction upon the Block Medical Officer of Health, Beldanga-II, to consider the grievance of the petitioner as expressed in the representation dated September 3, 2019 and pass a reasoned order. The Block Medical Officer of Health, Beldanga-II will intimate the petitioner the fate of such panel. If there are reasons to refuse appointment to the petitioner, such reasons shall be disclosed in the order to be passed.

This Court has not gone into the merits of the claim of the petitioner. The issues shall be decided independently by the authority. The reasoned order shall be communicated to the petitioner within a period of four weeks from date of communication of this order. If the authority deems fit, a hearing shall be given to the petitioner. He may call upon the petitioner to produce relevant documents at the hearing.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)