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08.08.2022
Ct. No.23
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 8297 of 2022

Bhanumati Deb Sarma
Vs.
The State of West Bengal & Ors.

Mr. Ekramul Bari
Mr. Syed Mansur Ali
Ms. Tanuja Basak
Mr. SK. Imtiaj Uddin
... For the petitioner

Mr. Santanu Kumar Mitra
Mr. Subhabrata Das
... For the State

It is submitted on behalf of the State that the main ground for which the petitioner was not called for the interview for selection of Accredited Social Health Activist (in short "ASHA") in terms of the recruitment notification dated 3rd January, 2022 for Velai Health Sub-Centre is that the petitioner did not submit any document in support of her marital status. This non-submission has, in fact, led to cancellation of her candidature in terms of the conditions provided in the said notification dated 3rd January, 2022.

The respondents say that the notification dated 3rd January, 2022 annexed to the writ petition is incomplete, the third page is not there. In the third page, the documents required to be submitted have been

categorically stated. Unless the petitioner supplies such documents, her name was not required to be considered and, as such, was not considered to be called for the interview.

A copy of the application form is annexed at page 31 of the writ petition. It is clearly indicated therein that the petitioner is a married lady. The petitioner has also annexed a certificate issued by No.1 Anantapur Gram Panchayat that the petitioner is the wife of Parimal Sarkar and a resident of village – Anantapur, Post Office – Velai, Police Station – Kaliyaganj, in the district of Uttar Dinajpur. Assuming without admitting that the document at page 25 of the writ petition was not submitted along with the application form, then also the authorities could have called for the necessary supporting document when the petitioner has clearly stated in her application form that she is a married lady.

Be that as it may, since the petitioner has produced some supporting document in support of her marriage along with the writ petition, the petitioner may be permitted to produce the original of such document before the authority concerned since the selection process for Velai Sub-Centre has not been completed and the vacancies filled up in view of the order dated 6th May, 2022.

The petitioner is directed to submit photocopies of all documents before the Sub-Divisional Officer, Raiganj,

being the respondent no.13, in terms of serial nos.1 to 8 as indicated under the heading “documents to be submitted with the application” in the notification dated 3rd January, 2022 within a period of ten days from date.

Once all such documents as applicable to the petitioner are submitted, the respondent no.13 shall call the petitioner for an interview within three weeks from the date of submission of the documents. In the interview, the original of the documents to be submitted by the petitioner shall be produced for scrutiny.

Once the petitioner’s interview is over, there will be no embargo on the State respondents in preparing and publishing the panel of the selected candidates for Velai Sub-Centre and proceed to give appointment to the selected candidates.

All parties, including the respondent no.13, shall act on the basis of a server copy of this order duly downloaded from the official website of this Court without insisting upon production of a certified copy thereof.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly without any order as to costs.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Arindam Mukherjee, J.)