

26.09.2022
Ct. no.21
Sl. No.5
Sanjay

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 8704 of 2022

Usha Ghosh & Ors.
Vs.
The State of West Bengal & Ors.

Ms. Sutapa Chatterjeefor the petitioners.

Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee ...for the State.

The petitioners have challenged a panel of appointment of **Anganwadi Helpers**. The petitioners state that the panel was prepared illegally and the actual list of successful candidates have been ignored.

By an order passed by a Co-ordinate Bench of this Hon'ble Court dated September 5, 2022 in WPA 7518 of 2022 the entire process of selection was annulled. The subject matter of challenge in this writ petition was considered and found to be a nullity by the District Magistrate, Malda. Though some of the candidates from the said panel were granted appointment letters, such letters of appointment were kept in abeyance.

Ms. Chatterjee, learned counsel appearing for the petitioners submits that candidature of the writ petitioners are genuine and in the event a fresh panel is prepared, the writ petitioners should be at liberty to apply for being considered in the fresh panel for the post of **Anganwadi Helpers**.

Mr. Chattopadhyay, learned counsel appearing on behalf of the respondents submits that the petitioners always have the liberty to apply in accordance with law.

Having considered the rival submissions of the parties and the materials placed on record, this Court is of the view that no panel exists as on date and even though the petitioners' name may have appeared in the first list of selected candidates they cannot be given appointment as on date since the entire panel has been nullified.

Needless to mention that if and when a fresh selection process is initiated for appointment of **Anganwadi Helpers**, the petitioners will be at liberty to apply for the posts in accordance with law.

Since no affidavits have been called for in the instant writ petition all the allegations made therein are deemed not to have been admitted by the respondents.

Deficit court fees are to be paid by the writ petitioners. The learned advocate for the petitioners undertakes to deposit deficit court fees by September 27, 2022. In the event, such court fees are not paid, the writ petition is liable to be dismissed.

With the aforesaid directions, the writ petition being **WPA 8704 of 2022** is **disposed of**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Hon'ble Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Lapita Banerji, J.)