

Item No. 5

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

27.06.2022
Ct-24

WPA 9714 of 2022
Hasida Khatun
v.
The State of West Bengal & Ors.

Mr. Moniruzzaman
Mr. D. Saha
... for the petitioner.

Mr. Jahar Dutta
Mr. Bipin Ghosh
... for the State.

The matter relates to appointment of ASHA Karmee.

The grievance of the petitioner is that the Sub-Divisional Officer is taking into consideration the candidature of candidates who do not reside within the jurisdiction where the ASHA Karmee is to be appointed.

The petitioner made representation before the Sub-Divisional Officer, Kandi on May 26, 2022 and alleges that the same has not been taken into consideration till date.

Learned advocate appearing on behalf of the State respondents submits, upon instruction that, the final list is yet to be published by the department. Candidature of any candidate who does not fall within

the jurisdiction of the area where the ASHA Karmee is to be engaged has not been considered.

Be that as it may, as the representation of the petitioner is pending consideration before the Sub-Divisional Officer, Kandi, accordingly, the instant writ petition is disposed of by directing the respondent no. 5 being the Sub-Divisional Officer, Kandi and the Member Secretary, ASHA Selection Committee to consider and dispose of the representation filed by the petitioner on May 26, 2022 at the earliest, but positively within a period of four weeks from the date of communication of a copy of this order.

The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

It is made clear that this Court has not entered into the merits of the claim of the petitioner and all points are left open to be decided by the said respondent at the time of consideration of the representation of the petitioner.

It is expected that the Sub-Divisional Officer shall dispose of the petitioner's application prior to publication of the final list of the ASHA Karmee.

The petitioner is directed to forward a copy of the representation dated May 26, 2022 to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

The report filed by the Block Medical Officer of Health, Khargram Rural Hospital, Murshidabad is retained with the records.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)