

09.09.2022
Sl. No.28(SL)
srm

W.P.A. No. 15095 of 2021

Sumita Das Karan

Vs.

The State of West Bengal & Ors.

Sk. Rejaul Alam

....for the Petitioner.

Mr. Uttam Kumar Bhattacharyya

...for the Respondent No.8.

Affidavit-of-service is taken on record. Despite service, none appears on behalf of the respondents, except the respondent No.8/Purba Medinipur Zilla Parishad.

It is the contention of the petitioner that by ignoring the application of the petitioner pursuant to an advertisement for engagement of an Accredited Social Health Assistant (in short ASHA) in Parulbari Health Centre, the respondent No.10 was granted the engagement, illegally. The petitioner contends that she was more suitable than the respondent No.10. She met the eligibility criteria required as per the guidelines for recruitment of ASHA. Yet, the authorities ignored the application of the petitioner. It appears that a complaint was filed before the Sub-Divisional Officer, Haldia with the allegation.

The writ Court cannot go into such disputed questions of fact and deems it fit to direct the Sub-Divisional Officer, Haldia to dispose of the representation/complaint of the petitioner, which is annexure P-10 at page 60 of the writ petition. While doing so, an opportunity of hearing shall be given to the petitioner, the respondent No.10, concerned Chief Medical Officer of Health or his representative, who was connected with the selection process, and a reasoned order shall be passed, in accordance with law.

If the petitioner's allegations are found to be correct, then necessary steps shall be taken to address the issue, in accordance with law. Remedial measures shall be taken.

The entire exercise shall be completed within a period of three months from the date of receipt of the petitioner's application.

This Court has not gone into the merits of the claims and counter-claims of the parties.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)