

S/L 8
27.01.2022
Court No.19
sourav

**WPA No. 15995 of 2021
(Via Video Conference)**

Manjura Khatun
Vs.
The State of West Bengal & Ors.

*Mr. Syed Shamsul Arefin,
Mr. Kaniz Kulsum*

...for the Petitioner.

*Mr. Lalit Mohan Mahata,
Mr. Rudranil De*

...for the State.

The petitioner has approached this Court after almost 12 years for implementation of the order dated August 20, 2010. The petitioner complained of an illegality in the selection process for appointment of 'Sahayika' (third post) at Pema Bilashibari Hat Shishu Shiksha Kendra. According to the petitioner, an enquiry by the Block Development Officer of the Harishchandrapur Development Block – I was to be conducted based on the irregularities in the said process of appointment.

The petitioner moved this Court for necessary orders upon the District Nodal Officer to ensure that an enquiry is made by the Block Development Officer. The prayer of the petitioner was granted by an order dated July 19, 2010 with a direction upon the District Nodal Officer to cancel the selection process in case no report was supplied by the Block Development Officer.

Records reveal that the process was cancelled and the District Nodal Officer by an order dated August 20, 2010 directed the Block Development Officer to start a fresh process for engagement of a Sahayika in the third post of the said Shishu Shiksha Kendra. The petitioner has now approached the Court seeking a direction upon the Block Development Officer, Harishchandrapur Development Block – I to initiate the selection process.

Mr. Mahata, learned advocate appearing on behalf of the State respondents submits that on and from April 2010, the recruitment committee had changed and on and from December 2012 the entire recruitment process had remained suspended. He urges that the candidature of the petitioner cannot be re-opened at this stage and selection cannot be held afresh at this belated stage.

This Court is of the opinion that the merits of the claim of the petitioner cannot be decided in the writ petition which has been filed almost after 12 years. The District Nodal Officer had directed the Block Development Officer to start a fresh process for engagement in the third post of Sahayika in 2010. It is also not on record whether pursuant to the said direction dated August 20, 2010, a process has been initiated by the Block Development officer and some other person has been appointed.

Thus, this Court does not enter into the merits.

The writ petition is disposed of with a direction upon the Block Development Officer, Harishchandrapur

Development Block – I, to intimate the petitioner the reasons as to why the prayer of the petitioner cannot be considered as submitted through his learned advocate for the state, before this Court. Such intimation shall reach the petitioner within a period of four months from the date of commutation of this order.

There will be no order as to costs.

All the parties are directed to act on basis of the learned advocate's communication as also server copy of the order.

(Shampa Sarkar, J.)