

S/L 7
31.10.2022
Court. No. 19
Sn

W.P.A.20257 of 2022

Smt. Durga Das(Patra)
VS
The State of West Bengal & Ors.

Mr. Basudeb Gayan
Mr. T.K. Jana

... for the Petitioner

Ms. Anwari Quraishi
Ms. Zainab Tahir

..for the State

This writ petition has been filed for a direction upon the respondents to allow the petitioner to join her services under Pankura-II, I.C.D.S. Project as an Anganwari helper.

Learned advocate for the State respondents submits that the petitioner had not been attending her duties since 2019. No intimation was also given to the authorities with regard to such unauthorized absence.

It appears that a show-cause notice was issued on February 25, 2019. Such show cause notice indicates that various complaints were received against the petitioner from the beneficiaries. It appears that the petitioner did not conduct herself properly and she used to close down the centre, during business hours. The petitioner admittedly did not reply to such show cause notice and she did not attend her duties since 2019.

The petitioner has filed this writ petition after three years from her absence from her duties seeking

directions to permit her to join her service. This cannot be permitted in the facts narrated hereinabove. As such, no order can be passed directing the respondents to allow the petitioner to join her duties after almost three years. The absence was not regularized. However, the petitioner is at liberty to reply to the show cause notice. If such answer is filed, the same shall be considered and disposed of in accordance with law, within a period of three months from the date of receipt of such answer by the concerned Child Development Project Officer, Panskura-II. An opportunity of hearing shall be granted to the petitioner.

A reasoned order shall be passed and communicated to the petitioner within the aforementioned period.

This Court has not gone into the merits of allegations and the same shall be decided by the concerned authorities.

This writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)