

**CALCUTTA HIGH COURT IN THE CIRCUIT BENCH
AT JALPAIGURI**

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04.05.2022
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WPA 864 of 2022
(Rejina Yasmin & Anr. Vs. The State of West Bengal & Ors.)

**Mr. Kallal Ghosh
Mr. Debajit Kundu**

....For the petitioner

**Mr. Subir Kumar Saha
Mr. Mominur Rahman**

....For the State

The writ petition is taken up for hearing where two candidates being the writ petitioners have ventilated their grievances relating to formation of interview board for appointment in the post of Anganwadi Workers, Sitalkuchi, District-Coochbehar.

Mr. Kallal Ghosh, learned advocate appears on behalf of the writ petitioners and submits that written test was held in the year 2009 where both the writ petitioners participated and were selected based on the result of the written test. Subsequently, the selection process could not be proceeded with by the concerned respondent authority in view of the pendency of litigation. Ultimately, the pending litigations have been disposed of by permitting the authority concerned to proceed with the selection process which resulted in holding of interview where petitioners participated. Such interview was held on 19th February, 2022.

It is submitted by Mr. Ghosh, learned advocate that though they participated in the interview but they were not selected and in the same breath it has also been submitted that the interview board was not properly constituted in accordance with the norms. It is submitted that had there been proper constitution of the interview board the result of the selection would have been different and petitioners might have been accommodated in the panel.

Mr. Mominur Rahman, learned advocate appears on behalf of the respondent authorities and has submitted that petitioners have participated in the selection process by appearing before the interview board on 19th February, 2022 and when they found that they were not selected they have turned around and preferred this writ petition. However, it has also been submitted that formation of the interview board has not been questioned by the petitioners by making any proper representation.

This Court has heard the learned advocates representing the parties and perused the relevant documents available on record.

This Court has posed query to Mr. Kallal Ghosh, learned advocate representing the petitioners that whether petitioners have raised the issue of illegalities in the matter of formation of the interview board which conducted the interview on 19th February, 2022 and it has been submitted candidly on behalf of

the petitioners that till date no such representation has been made on such issue.

Having considered this fact the present writ petition is disposed of upon granting liberty to the writ petitioners to make comprehensive representation before the Child Development Project Officer, Sitalkuchi, respondent no. 7 raising all the points available to the petitioners. If such representation is made within fortnight from this date the respondent no. 7 in its turn shall consider the representation after granting opportunity of hearing to the petitioners or the representative of the petitioners by passing a reasoned order. Such order shall be passed by the respondent no. 7 within 6 (six) weeks from the date of receipt of such representation, if made, and order to be passed by the respondent no. 7 shall be communicated the petitioners within 1 (one) week thereafter.

It is made clear that all points are kept open and the petitioners shall be at liberty to take those points before the respondent no. 7 at the time of hearing.

However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)