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jdt.

16.06.2022
jb.

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

W.P.A. 1447 of 2022
**[Smt. Rina Saiba Karjee @ Rina Karjee vs. State of West
Bengal & Ors.]**

Mr. Nabankur Paul
Mr. Satyaki Barman
Mr. Sudip Guha
... For the Petitioner

Mr. Subir Kr. Saha
Mr. Momenur Rahaman
... For the State

Affidavit-of-service filed by the petitioner is
taken on record.

It is contended on behalf of the petitioner that
she was appointed to the post of ASHA Karmi by the
third respondent on 1st August, 2007 at Madarihat
Block. The petitioner participated in the West Bengal
Panchayat Election from Rangalibazna constituency
in 2018 and was elected Pradhan of the said Gram
Panchayat. By a letter dated 10th February, 2021 the
Block Medical Officer of Health, Madarihat –Birpara
Block, Alipurduar requested the petitioner to opt out
any one of the dual posts held by her in view of the

resolution taken by the District ASHA selection committee on 12th November, 2020. In compliance with the said letter the petitioner resigned from the post of Pradhan and submitted several applications before the concerned Authority for rejoining as ASHA workers. The applications of the petitioner have not been heeded to till date.

In the meantime, an advertisement was issued by Sub Divisional Officer, Alipurduar on 10th May, 2022 inviting applications for appointment of ASHA worker. The petitioner submits that the representations of the petitioner ought to be disposed of prior to further appointment of any ASHA worker in the said Block.

Learned counsel for the respondents submits that the representations submitted by the petitioner may be directed to be considered by the Block Medical Officer of Health, Madarihat, being the respondent No. 5 herein.

Upon consideration of the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the 5th respondent to consider and dispose of the representations submitted by the petitioner dated 23rd February, 2021, 17th May, 2021 and 25th May, 2022 within six weeks from the date of communication of this order after giving reasonable

opportunity of hearing to the petitioner, in accordance with law. The decision taken by the Authority shall be communicated to the petitioner within a week thereof.

Pending disposal of the representations, the notice issued by the Sub Divisional Officer, Alipurduar on 10th May, 2022 be stayed.

W.P.A. 1447 of 2022 is thus disposed of.

There shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)