

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

02.12.2022
Sl. No.55(DL)
srn

W.P.A. No. 1839 of 2022

Roshenara Khatun

Versus

The State of West Bengal & Ors.

Mr. Shekhawar Khandakhar,
Mr. Debanjan Das

...for the Petitioner.

Mr. Subir Kumar Saha,
Mr. Momenur Rahman

...for the State-respondents.

The petitioner submits that the authorities should have considered her as a reserved candidate under the category of “persons with disability”, in the promotional examination held for the post of Anganwadi Worker. The petitioner was working as an Anganwadi Helper on temporary basis.

Mr. Rahman, learned Advocate appearing on behalf of the State-respondents, submits that in the promotional examination, no post had been reserved for PWD candidates and as such, the petitioner was considered as a general category candidate.

The petitioner has not been able to satisfy the Court whether in the notice inviting applications for the promotional examination at least one vacancy had arisen in the PWD category. Whether any vacancy had arisen in the promotional post of Anganwadi Worker under the PWD category or whether at all such reservation had been provided in the rules in case of such promotion, are not available before the Court. Whether the initial engagement was under the PWD category is also not available.

Under such circumstances, the writ petition is disposed of with a direction upon the Child Development Project Officer, Coochbehar to intimate the petitioner as to why the petitioner was treated as a general category candidate, although the petitioner suffered from disability. Such intimation shall reach the petitioner within a period of four weeks from the date of communication of this order.

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.)