

56.
27.7.2023
S.D.

W.P.A. 1183 of 2023

**Malati Kujur
Vs.
The State of West Bengal & Ors.**

Ms. Poulumi Dutta
Ms. Kaushani Majumder

..For the Petitioner

Mr. Malay Singh
Mr. Bibekananda Tripathi

...for the State

Ms. Payel Shome
Ms. Nabanita Kapat

..for the Respondent No. 5

The writ petition was filed on the ground that the private respondent no. 5 was illegally and arbitrarily appointed as an Asha Karmee for District –Dakshin Dinajpur, Block – Tapan, Sub-Centre – Kadma, Village –Dhulahar. The recruitment process was held pursuant to a Recruitment Notification dated June 30, 2022.

Mr. Dutta, learned counsel appearing on behalf of the petitioner submitted that due weightage was not given to the petitioner while calculation of the marks obtained by her in Madhyamik Examination. She argued that had proper weightage been given to the marks obtained by the petitioner in Madhyamik Examination, the petitioner would have been first empanelled candidate.

Pursuant to the direction passed by this Court, a Report on Affidavit was produced before this Court. A legible copy of the mark-sheet of the private Respondent was also produced by the State respondents to the petitioner along with the calculation of the weightage of the marks given to the candidates. From the calculation sheet, it appears that the final score of the petitioner was 37.66 whereas the final score for the private Respondent was 39.99. Therefore, private Respondent was appointed as an Asha Karmee.

Considering the submissions of the parties and the materials placed on record, this Court is of the view that there is no infirmity in the decision making process of the State Respondents in engaging the private respondent no. 5 as an Asha Karmee for the aforesaid *service area*.

Accordingly, **W.P.A. 1183 of 2023 is dismissed.**

All parties shall act on the server copy of this order duly downloaded from the official **website** of this Court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all the formalities.

(Lapita Banerji, J.)

