

10.
22.2.2023
S.D.

W.P.A. 2792 of 2023

Smt. Subhadra Rajak
Vs.
The State of West Bengal & Ors.

Mr. Dinendra Nath Chatterjee
Mr. S. Mondal

..For the Petitioner

Ms. Chaitali Bhattacharya
Mr. Manas Kumar Sadhu

..For the State

Affidavit of service filed in Court today is retained with
the records.

The petitioner's grievance is that despite being called for an interview for being engaged as an Accredited Social Health Activist (ASHA) Karmee pursuant to an advertisement dated May 10, 2012, the petitioner was not informed of the fate of the said selection process. The petitioner made an application under the R.T.I. Act, 2005 on October 10, 2018. The Joint Block Development Officer and State Public Information Officer by a communication dated November 14, 2018 intimated the petitioner that the records relating to the selection of ASHA in 2012 was not available with the said office. The required information would be available with the Block Medical Officer of Health (BMOH).

The petitioner made another application on December 12, 2018 before the BMOH, concerned. The BMOH by a reply dated February 19, 2019 informed the petitioner that there was no record available with the office with regard to the petitioner being selected in the interview. All the relevant documents and necessary papers were kept with the BDO, Purulia-I.

Mr. Chatterjee, learned counsel appearing on behalf of the petitioner submits that the information sought for by him have not been provided since the BDO has stated that the records are available with BMOH and the BMOH has stated that the records are available with the BDO.

Ms. Bhattacharya, learned counsel and Senior Government Advocate appearing on behalf of the respondents submits that the petitioner was not the selected candidate. She hands over a copy of the written instruction in Court today, which is retained with the records. From the panel prepared pursuant to the advertisement dated May 10, 2012, it appears that the petitioner was the third candidate and was not selected since there was only one post. From the written instruction dated February 20, 2023 issued by the Chief Medical Officer of Health (CMOH), Purulia, it appears

that not only the petitioner was not the selected candidate, but the entire panel was not approved by the State authority.

Considering the rival submissions of the parties and the materials placed on record, this Court is of the view that the petitioner has approached this Court at a much belated stage for which no sufficient cause has been shown. The interview was held pursuant to an advertisement of 2012. The petitioner made application under RTI in 2018 and filed the writ petition in 2023 challenging the response to the RTI, which were made available to the petitioner in February 2019.

Furthermore, on merits, this Court finds that the petitioner has no case since the entire panel pursuant to the advertisement dated May 10, 2012 has been disapproved of by the State authority.

This Court finds that there is no merit in the present writ petition.

Accordingly, the writ petition being **W.P.A. 2792 of 2023** is **dismissed**.

Since no affidavits have been directed to be exchanged in the present writ petition, all the allegations contained in the writ petition are deemed not to have been admitted by the parties.

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.)