

245. 11.08.2023
Ct.15

bd.

W.P.A. 2295 of 2016

Gouri Sarkar

-vs-

The State of West Bengal & Ors.

Mr. Partha Sarathi Das

Mr. Kaushik Biswas

Ms. Shanta Sarkar

Mr. Debjyoti De ... for the petitioner.

Petitioner was a desirous candidate to be engaged as Accredited Social Health Activist (ASHA) and participated in the interview held on 22nd January, 2008 in the district of Dakshin Dinajpur. The grievance of the petitioner is in spite of participation in the interview and in the selection process she was not selected for engagement as ASHA.

It has been submitted by the learned advocate representing the petitioner that when it was found by the petitioner that she was not selected being aggrieved she instituted a suit before the Civil Judge (Junior Division), Gangarampur, but same was not pursued and the suit was dismissed for default. Petitioner prays for consideration of representation which she made on 30th January, 2008.

No one is representing the respondents today. It appears that petitioner participated in the interview on 22nd January, 2008 and a representation was made on 30th January, 2008, whereas the present writ petition was filed on 9th

February, 2016.

This Court does not find any plausible explanation in approaching this Court with the present writ petition after a period of approximately 8 years. It is trite law that when a panel is prepared for engagement the same remains valid for a particular period.

In the present case if the panel is prepared in the year 2008 it is presumed that same expired prior to presentation of this writ petition. After expiry of the panel the right of the candidate who participated in the selection process does not survive. In addition thereto it has not been spelt out in the writ petition as to when the suit was dismissed for default. Therefore, the delay occurred in presenting this writ petition is not satisfactorily explained.

In view of aforesaid scenario this Court does not find merit in the writ petition and the same stands dismissed.

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.)