

W.P.A. 6640 of 2018
IA NO. CAN 2 of 2022

Jharna Sarkar
Vs.
The State of West Bengal & Ors.

Mr. Bhagbat Chaudhuri
Mr. Mahbud Asfakul Zinna
...for the petitioner

Mr. Santanu Kumar Mitra
Mr. Abhishek Banerjee
...for the State

The writ petition relates to engagement of ASHA in Block Primary Health Centre, Kaliyaganj, District-Uttar Dinajpur. The petitioner has questioned the engagement of respondent no. 10 on the count that she was not the resident of the area where the sub-centre situates and since the petitioner worked as Link Worker in the selection process she should have been given preference over other candidates including the respondent no. 10 who according to the petitioner did not function as Link Worker prior to her engagement as ASHA.

Pursuant to the order dated 29th August, 2023 the Member Secretary, ASHA Selection Committee, Raiganj has affirmed an affidavit for submitting a report before this Court on 14th September, 2023 which is filed today and is taken on record.

On perusal of the said report it appears that the petitioner and the respondent no. 10 participated in the process for engagement of ASHA and the interview was

held on 11th December, 2014 and subsequently from the select list the respondent no. 10 was engaged with effect from 16th December, 2017. Subsequently, respondent no. 10 tendered resignation on 10th January, 2019 and the resultant vacancy of ASHA has already been filled up based on an advertisement dated 3rd January, 2022 and the panel was approved by the Additional Mission Director vide memo dated 31st January, 2023. The selected candidate was engaged as ASHA in the concerned Sub-Centre under Kaliyaganj Block Primary Health Centre.

The examination of the grounds urged on behalf of the petitioner in order to question the engagement of respondent no. 10 as ASHA pales into insignificance in view of tendering resignation by the respondent no. 10 on 10th January, 2019 and subsequent selection process initiated by the concerned respondent authorities for filling up the resultant vacancy vide advertisement dated 3rd January, 2022 which in the meantime has culminated into selection of another candidate for engagement of ASHA in the aforesaid sub-centre.

In view of aforesaid facts no order need be passed on this writ petition and accordingly the writ petition stands disposed of.

Application, if any pending, also stands disposed of.

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.)