

**WPA 6397 of 2020
With
CAN 1 of 2020 (Old CAN 4999 of 2020)**

**Arpan Karmakar
Vs.
The State of West Bengal & Ors.**

Mr. Benajir Shaikh
Mr. Ibrahim Shaikh

... ... for the petitioner

Mr. Anirban Ray, GP
Mr. T.M. Siddiqui
Mr. N. Chatterjee
Mr. D. Ghosh

... ... for the State

1. Heard the learned counsel for the parties at length.
2. The petitioner by way of this public interest litigation questions the constitution of the West Bengal Health Recruitment Board to be contrary to the mandatory requirement.
3. According to the petitioner eight Members did not have requisite qualification to be a Member of the West Bengal Health Recruitment Board. Therefore, the petitioner seeks for appropriate action to scrap the Board and consequentially to declare all actions done by them as illegal.
4. Though, such a wide prayer has been sought for these eight persons against whom allegations have been made are not made respondents in the writ petition. Therefore, we are not persuaded to grant any direction as sought for in the petition.
5. Nevertheless, since the representation given by the petitioner dated 9th February, 2020 has not been

disposed of and the petitioner has not been informed about the fate of this representation, we are inclined to issue the following directions:

6. Accordingly, the writ petition stands disposed of by directing the writ petitioner to give a fresh representation to the Member Secretary to the Government of West Bengal, Department of Health and Family Welfare, Kolkata enclosing a copy of the representation dated 9th February, 2020 and after receiving the copy of this order the State authorities shall consider the representation and pass appropriate orders on merits in accordance with law and communicate the same to the petitioner within a period of six weeks from the date of receipt of a copy of the representation.

(T.S. Sivagnanam)
Acting Chief Justice

(Hiranmay Bhattacharyya, J.)