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WPA 7121 of 2007

**Nayna Khatun.
Versus
The State of West Bengal & Ors.**

Mr. Shamim Ul Bari,
Ms. Keya Sutradhar for the petitioner.

Mr. Amitesh Banerjee, Sr. Adv.,
Mr. Tarak Karan ... for the State.

The petitioner is aggrieved by the inaction on the part of the respondent authorities in not communicating their decision on the representation of the petitioner, which is annexed as Annexure “P/5” at page 26 of the writ petition.

Mr. Bari, learned Advocate appearing for the petitioner, submits that the notification was published on September 5, 2006 inviting the intending candidates to apply for appointment as Second A.N.M. at Mitrapur Health Sub-centre under Murario –II Block in the District of Birbhum. Mr. Bari submits that the petitioner after solemnisation of her marriage on August 22, 2006 started residing at her matrimonial home within the jurisdiction of the said health centre and since the petitioner started residing in the said locality prior to the issuance of the notification, the petitioner was eligible to be

appointed to the said post. Mr. Bari further submits that the private respondent no.8 got less marks than that of the petitioner in the Madhyamik examination and as such, the petitioner was entitled to be appointed in the said post.

None appears for the private respondent.

It appears from the record that no decision has been taken by the concerned authority on the representation of the petitioner at page 26 of the writ petition.

In view thereof, this writ petition is disposed of by directing the Block Medical Officer of Health, Paiker, Muraroi, Birbhum, Muraroi Block –II being the respondent no.6 herein to consider the representation of the petitioner, which is annexed as Annexure “P/5” at page 26 of the writ petition and to dispose of the same by passing a reasoned order upon giving an opportunity of hearing to the petitioner, the private respondent no.8 as well as any other interested parties and / or their authorised representative(s). Needless to mention that the reasoned order shall be communicated to the parties immediately thereafter. The entire exercise shall be completed by the respondent no.6 within a period of eight weeks from the date of communication of this order.

Since this is a writ petition of the year 2007, this Court directs the petitioner to supply a copy of the representation, which is annexed as Annexure “P/5” at page 26 of the writ petition along with a copy of this order to the respondent no.6.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(Hiranmay Bhattacharyya, J.)