

38.
11.5.2023
S.D.

W.P.A. 10822 of 2023

**Hasi Pradhan
Vs.
State of West Bengal & Ors.**

Ms. Rama Halder

..For the petitioner

Mr. Rezaul Hossain

..For the State

Written instruction handed over in Court today by Mr.
Hossain is retained with the records.

The petitioner applied for engagement as an Accredited Social Health Activists (ASHA) Karmee for Gram Panchayat – Mohar, Sub-Centre – Nimki Mohar, Village – Sheulipur in the unreserved category. It is the case of the petitioner that one Saraswati Jana Senapati was called for the interview for the said village/service area, but the petitioner was not called for interview.

Ms. Halder, learned counsel appearing on behalf of the petitioner submits that various paras from where the ASHA Karmees will be selected for the village Sheulipur was stated in the Memo vide No. 621/KGP, dated March 10, 2023, but the name of the para (Pradhan Para) where the petitioner is a resident of was not included in the said sub-centre. Pradhan Para was included in a different sub-centre for which the

vacancy was not advertised vide Advertisement No. 621/kgp, dated March 10, 2023.

Mr. Hossain, learned counsel appearing on behalf of the State respondents submits that the petitioner was declared to be an *ineligible* candidate upon scrutiny of the documents since she did not belong to the service area for which the vacancies arose.

Considering the rival submissions of the parties and the materials on record, this Court is of the view that the Advertisement dated March 10, 2023 clearly indicated the service areas in respect of which the vacancies arose. Annexure '1' of the said advertisement unambiguously indicated the number of vacancies along with the names of the Gram Panchayats, name of the sub-centres, name of the villages and demarcated/service areas along with categories for which the vacancies arose. The petitioner had every opportunity to appraise herself of the service areas for which the vacancies arose. Without considering the service area for which the vacancies in Sheulipur village arose, the petitioner applied for engagement as an ASHA Karmee. Naturally, she was declared to be an "*ineligible*" candidate, during the scrutiny.

This Court is of the view that there was no arbitrariness or capriciousness or perversity in the decision making process of the respondent authorities. The respondent authorities have acted in terms of the advertisement published on March 10, 2023. It is the petitioner who misdirected herself by not considering the 'service area' for which the vacancies arose.

In such view of the matter, **W.P.A. 10822 of 2023** is **dismissed**.

All parties shall act on the server copy of this order duly downloaded from the **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.)