

06.
18.7.2023
S.D.

W.P.A. 14397 of 2023

**Parvina Kahtun Bibi @
Parbhina Khatun Bibi
Vs.**

The State of West Bengal & Ors.

Mr. Tapodip Gupta
Mr. Shamik Chatterjee
Mr. Aditya Bikram Mahata
Mr. Sahil Kabir

..For the Petitioner

Mr. Arjun Roy Mukherjee

...For the State

Mr. Uday Narayan Betal
Mr. Partha Sarathi Mondal

...For the Respondent No. 8

The petitioner applied for engagement as an Accredited Social Health Activists (ASHA) Karmees pursuant to a Recruitment Notification dated January 3, 2022. The petitioner was called for interview on May 20, 2022.

It is the petitioner's grievance that despite participating in the said interview, the petitioner was not engaged as an ASHA Karmee whereas the private respondent no. 8 has been engaged even though she did not belong to the service area for which the petitioner applied. The petitioner applied for engagement in the service area of Debattar Laxminarayan (Majhpara + Pecherpara). The petitioner's grievance is that the respondent no. 8 belongs to different Gram Panchayat. The

vacancy for which the petitioner applied belonged to Gram Panchayat – Dhulauri, Sub-Centre – Majhpara.

Mr. Chatterjee, learned counsel appears on behalf of the petitioner. He prays for consideration of the representation dated November 18, 2022.

Mr. Roy Mukherjee, learned counsel appears on behalf of the State respondents.

Mr. Betal, learned counsel appears on behalf of the Private respondent and submits that there is no infirmity in the engagement of the respondent no. 8 as an ASHA Karmee.

Considering the rival submissions of the parties and the materials placed on record, this Court is of the view that justice will be sub-served by directing the respondent no. 6/the Sub-Divisional Officer, Domkol to dispose of the representation of the petitioner dated November 18, 2022 upon giving a hearing to the petitioner as well as the private respondent no. 8 (being an interested party), within a period of 8 weeks from date. A reasoned order shall be passed and communicated to the petitioner within two weeks of passing thereof.

With the directions aforesaid, **W.P.A. 14397 of 2023 is disposed of.**

Since no affidavits have been directed to be exchanged in the present writ petition, all the allegations contained in the petition are deemed not to have been admitted by the parties.

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