

16.05.2023  
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AN/Ct. No.07

**WPA 12305 of 2010**

**Khodeja Khatun  
versus  
The State of West Bengal & ors.**

Mr. Md. Kutubuddin

... for the petitioner

Mr. Sakti Pada Jana  
Mr. Subha Jyoti Das

... for respondent no. 8

Mr. Rajat Dutta

... for the State

The writ petitioner has challenged the appointment of the 8<sup>th</sup> respondent to the post of Auxiliary Nurse and Midwife in Chinpai sub-centre of Chainpai Gram Panchayat under Dubrajpur Block, District Birbhum on the ground that the 8<sup>th</sup> respondent has scored less marks in the Madhyamik Examination than the writ petitioner.

The petitioner claims to have submitted a representation before the Block Development Officer, Dubrajpur Block Office which is annexed at page 30 of the writ petition.

The grievance of the petitioner is that the concerned authority has not yet communicated any decision to the petitioner on the said representation. Since the said representation has not yet been disposed of, this Court is of the view that interest of justice would be sub-

served if the concerned authority is directed to consider and dispose of the representation of the petitioner on merit and in accordance with law.

Accordingly, this writ petition stands **disposed of** by directing the Block Medical Officer of Health Dubrajpur Block, P.O. & P.S. Dubrajpur, District Birbhum being the 5<sup>th</sup> respondent to consider the representation of the petitioner which is annexed at page 30 of the writ petition and to dispose of the same by passing a reasoned order after giving an opportunity of personal hearing to the petitioner and the private respondent and/or their authorized representatives and to communicate the reasoned order to the private parties immediately thereafter. The entire exercise shall be completed as expeditiously as possible but preferably within a period of six weeks from the date of receipt of the server copy of this order alongwith a copy of the representation which is annexed at page 30 of the writ petition.

There shall be, however, no order as costs.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

**(Hiranmay Bhattacharyya, J.)**