

34.
11.1.2023
S.D.

W.P.A. 15878 of 2022

**Smt. Mala Banerjee & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Avishek Prasad
Mr. Sougata Mitra
Ms. Ankita Dey

...For the petitioners

Despite service no one appears on behalf of State respondents.

The petitioners appeared for selection as ASHA (Accredited Social Health Activist) Karmees under Sonathali Gram Panchayat, Crosemuri Health Sub-Centre pursuant to an advertisement published in 2008. The last date for submission of the application was November 20, 2008.

The petitioners appeared before the Selection Committee. Thereafter, the concerned Block Medical Officer by Memo No. 58 dated February 15, 2019 in response to the first RTI intimated that a panel has been selected for the post of ASHA Karmees. However, no panel consisting the list of candidates was available with the concerned medical officer. The petitioners made subsequent applications under the

Right to Information Act, 2005 on March 2, 2022. No reply was given to the said applications.

The communication dated February 15, 2019 by the Block Medical Officer of Health (BMOH) was also supplied pursuant to a previous application made under the 2005 Act.

Having considered the submissions made on behalf of the petitioners and the materials placed on record, this Court directs the representation of the petitioners dated March 2, 2022 to be considered in accordance with law after referring to the panel that has been stated to have been prepared by the BMOH prior to February 15, 2019. The said representation of the petitioners is to be considered by the respondent no. 6 within six weeks from date upon giving a personal hearing to the petitioners. The representation is to be disposed of by a reasoned order and the same be communicated to the petitioners within two weeks of passing thereof.

With the directions aforesaid, **W.P.A. 15878 of 2022** is **disposed of**.

Since no affidavits have been directed to be exchanged in the present writ petition, all the allegations contained in the writ 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.)