

WPA 16246 of 2023

**Anima Bhandari
Vs.
State of West Bengal & Ors.**

Mr. Ekramul Bari,
Mr. S.M. Ali.
... for the petitioner

Mr. Arjun Roy Mukherjee,
Mr. Subhendu Sengupta.
... for the State

Report on Affidavit as handed over in Court today
be retained with the record.

Mr. Bari, learned counsel appearing on behalf of
the petitioner submits that pursuant to an order dated
April 1, 2015 passed by a Coordinate Bench, the
petitioner was entitled to apply for engagement as an
Anganwadi Worker (AWW) in future selection process,
subject to fulfilling the other criteria as to eligibility.

The petitioner's previous engagement was
terminated since the petitioner was over-qualified for
the said post. The bar with regard to over-qualification
was subsequently altered and the petitioner was eligible
for such post.

From the said report it appears that by an
advertisement dated December 26, 2018 vacancies

were advertised for filling up of the post of AWW for Dubrajpur ICDS Project, Birbhum, Hetampur Gram Panchayat. There were three vacancies, one in UR category, one in SC category and the 3rd one in OBC-B category.

The petitioner has applied in the OBC-B category in the new selection process.

However, the petitioner's candidature was rejected as she was over-aged being more than forty-five years of age as on January 1, 2019.

Considering the rival submissions of the parties and the materials placed on record, this Court is of the view that the authorities concerned may consider the petitioner's case, in the event there is no other eligible candidate for filling up the said post of an AWW in OBC-B category within the prescribed age limit. If the petitioner fulfills other eligibility criteria then her candidature to the post of AWW may be considered by way of age relaxation considering the intent and spirit of the previous coordinate Bench's order.

With the directions as aforesaid, **WPA 16246 of 2023 is disposed of.**

All parties are directed to act on a server copy of this order, duly downloaded from the official website of this Hon'ble Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Lapita Banerji, J.)