

16.10.2023
DL-11
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 22046 of 2023

Ruma Mondal
Vs.
The State of West Bengal & Ors.

Mr. Shamim-ul Bari,
Mr. Gourab Kumar Nath,
Mr. Subhajyoti Chandra

....for the petitioner.

Mr. Pinaki Dhole,
Mr. Avishek Prasad

....for the State.

Written instructions as handed over in Court today are retained with the records.

From the said written instructions, it appears that the private respondent who has been selected as an Accredited Social Health Activist (ASHA) Karmee for District – Basirhat HD Block – Hasnabad, Gram Panchayat – Hasnabad, Sub-Centre – Angnara has obtained 55.83% in the selection process whereas the petitioner has obtained 36.96% in the selection process. There were 7 candidates who obtained more marks than the petitioner. The first candidate was selected as an ASHA and the next 2 candidates were the wait-listed ones in the panel.

The present writ petition has been filed by alleging that despite getting less marks in the

selection process, the private respondent no.8 has been engaged in place and stead of the petitioner.

It is unfortunate that such allegations have been made by the petitioner when the private respondent has obtained 434 marks in Madhyamik Pariksha and she has obtained only 273 marks. Upon according 90% weightage to the marks obtained in Madhyamik Pariksha, the private respondent secured 48.83% whereas the petitioner was accorded 30.71%. In the interview, the private respondent obtained 7% whereas the petitioner obtained 6.2%. Therefore, the aggregate of the private respondent was 55.83% whereas the aggregate of the petitioner was 36.96%.

This Court finds no infirmity in the decision making process of the respondent authorities.

To the mind of this Court the writ petition is completely frivolous in nature and should be dismissed with costs.

However, considering the economic background of the petitioner, this Court is not awarding heavy costs to the petitioner. Such kind of litigation is complete waste of judicial time.

Accordingly, **WPA 22046 of 2023** is **dismissed**.

Since no affidavits have been directed to be exchanged in the writ petition, the allegations

contained therein are deemed not to have been admitted by the respondents.

All parties shall act on the server copies 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.)