

21.03.2023
DL-103
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 23042 of 2022

Durga Duley
Vs.
State of West Bengal & Ors.

Mr. Sukanta Ghosh
....for the petitioner.

Mr. Rezaul Hossain
....for the State.

The petitioner's grievance is that she was not given preference for being a member of self-help group or being a trained Dai and/or Link Worker as per the memo vide no.365/G (ASHA) dated February 22, 2022 issued by the office of the Sub-Divisional Officer, Khatra, Bankura, Government of West Bengal. The petitioner had applied for being engaged as an Accredited Social Health Activist (ASHA) karmee pursuant to an advertisement dated February 22, 2022. The petitioner has a certificate of Assistant Nursing and Midwifery course.

Mr. Ghosh, learned counsel, appearing on behalf of the petitioner submits that she was entitled to be given preference over and above the other candidates. However, from the weightage sheet produced by the State in the report on affidavit, it appears that the petitioner has not been given weightage for being a

trained Dai. A non-applicable (NA) entry has been made in column 9 of the weightage sheet.

Mr. Hossain, learned counsel, appearing on behalf of the State hands over the application form of the petitioner in Court today. Such application form is retained with the records.

It is apparent to the Court upon perusal of the said application form that column 6 of the same has been left blank by the petitioner. She did not submit in the application form whether she is a member of the self-help group or a trained Dai/Link Worker.

Therefore, this Court is of the view that the State respondents have not infringed any legal right of the petitioner in giving no weightage to her in column 9 of the weightage sheet and marking an entry of NA in column 9.

In the circumstances, **WPA 23042 of 2022 is dismissed.**

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.)

