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01.3.2023
S.D.

W.P.A. 23113 of 2022

**Sudip Kumar Mukherjee & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Rudranil De
Ms. Aiswaryya Mukherjee
... For the Petitioners

Mr. Santanu Kumar Mitra, Sr. Govt. Adv.,
Mr. Subhabrata Das
...For the State

The petitioners have challenged constitution of District Level Selection and Monitoring Committee for engagement of Anganwadi Workers (AWW) and Anganwadi Helpers (AWH) in ICDS (Integrated Child Development Service) Projects. By a Notification dated January 16, 2014, the Ministry of Women and Child Development, Government of India issued Guidelines/Clarifications with regard to the eligibility of the members constituting such Committees. It was clarified that in case such Committees were headed by MICs and MLAs, the said constitution of the Committees would be against the Guidelines issued by the Ministry.

Mr. De, learned counsel appearing on behalf of the petitioners submits that in violation of such Guidelines,

various Committees have been set up by the Government of West Bengal. The MLAs of various Constituencies have been a part of the said Selection Committees.

A report on affidavit has been filed on behalf of the State Government and Exception to the said report as handed over in Court today are retained with the records.

Considering the submissions of the parties and the materials placed on record, this Court is of the view that the petitioners cannot claim to be aggrieved by the constitution of such Monitoring cum Selection Committees. No legal right of the petitioners has been infringed/violated by the State Government since neither the petitioners participated nor could have participated in the selection process reserved for female candidates only.

In such circumstances, **W.P.A. 23133 of 2022** is **dismissed as not maintainable.**

In the event, the petitioners seek to challenge the said Notification before the appropriate forum, the petitioners will be at liberty to do so, if so advised.

All parties shall act on the server copy of this order duly downloaded from the **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.)