

29 03.08.2023
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Jdt.

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

**W.P.A. 1629 of 2023
Sajina Khatun
vs.
State of West Bengal & Ors.**

Sk. Obaidullah
Ms. Ankita Dey
... For the Petitioner
Mr. Bikramaditya Ghosh
Mr. Pretom Das
... For the State

Affidavit of service filed on behalf of the petitioner is taken on record.

It is contended of the petitioner that pursuant to a Memorandum issued by the Joint Secretary, Department of Women and Child Development, Social Welfare, Government of West Bengal on 25th June, 2006 for recruitment to the post of Anganwadi Helper, the petitioner applied for the said post and on being found eligible, was asked to appear before the selection committee for the written test and the Viva Voce in 2010 and 2012 respectively. The selection process was not concluded for which the petitioner submitted a representation before the concerned authority for considering her appointment to the post. The said representation not being considered, the petitioner approached this Court in a writ petition being W.P.A. 9641 of 2020. By an order passed on 22nd September, 2021, a co-ordinate Bench of this Court directed the Principal Secretary, Department of Women and Child

Development, Social Welfare to constitute the District Selection and Monitoring Committee, Coochbehar afresh and complete the process of appointment to Anganwadi Workers/Helpers in Coochbehar I. The Court further observed that in case of the vacancies were filled up in accordance with law, the available/empanelled candidates should be considered against the vacancies that may arise in future. In terms of the said order, merit list was prepared for the post and 11 candidates were selected under the unreserved category. One of such selected candidates Afroza Banu expired on 5th November, 2020 resulting in the said post falling vacant. The petitioner submitted a representation before the concerned authority on 30th May, 2023 requesting consideration of her name in the said vacant post which is yet to be considered. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that the 7th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 7th respondent to consider and dispose of the representation submitted by the petitioner dated 30th May, 2023 within four weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

There will be no order as to costs.

Since, no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed to have not been admitted by the respondents.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J)