

21.05.2024.
PB
Sl. No.1890.
Ct. No.24.

WPA 230 of 2023

Johra Khatun
Vs
The State of West Bengal & Ors.

Mr. Ziaul Haque,
Mr. Himadri Kr. Mahata.
.....for the petitioner.

Mr. Lalit Mohan Mahata, AGP
Mr. Rezaul Hossain.
.....for the State.

The matter relates to recruitment of ASHA in
gram panchayat.

The vacancy list of ASHA dated 3rd January,
2022 annexed at pages 18 and 19 of the writ petition
mentions the boundaries of the ASHA area.

The petitioner contends that she is a resident
within the boundary area that has been mentioned in
the vacancy list whereas, the private respondent
resides outside the boundary area.

Diverse reports have been filed by the Sub-
Divisional Officer with regard to the residential
address of the private respondent but in none of the
reports there is any mention as to whether the private
respondent resides within the boundary of ASHA area.

The Sub-Divisional Officer is required to ascertain as to whether the private respondent resides within the boundary limits as prescribed. If it is found that the private respondent resides outside the boundary of ASHA area, then she cannot be held to be an eligible candidate for appointment as ASHA.

The Sub-Divisional Officer is, accordingly, directed to grant an opportunity of hearing to the petitioner as well as the private respondent for production of documents in support of their residence. The Sub-Divisional Officer shall, thereafter, take a decision as to who will be the eligible candidate to be appointed. Steps shall be taken by the Sub-Divisional Officer, Jangipur, at the earliest but positively by 5th July, 2024.

The writ petition is disposed of.

Affidavit-in-exception filed by the petitioner is taken on record.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)

