

23.04.2024.
Court No. 13
Item No. 29
ap

W.P.A. No. 8792 of 2024
Smt. Mukti Rani Das & Ors.
Versus
The State of West Bengal & Ors.

Mr. Abdul Hamid Molla,
Mr. Narayan Das,
Md. Abdul Halim.

...For the petitioners.

Ms. Sanghamitra Nandi,
Ms. Barnali Gupta.

....For the UOI.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioners are aggrieved by the promotion process to the post of Anganwadi Workers from Anganwadi Helpers conducted by Hingalganj ICDS Project Officer pursuant to the Memo dated 5th October, 2023 under Hingalganj ICDS Project.
3. It is argued that the petitioners were asked to pay a bribe and due to their inability to do so, they have not been promoted. It is also alleged that only candidates, who paid bribes, were promoted.
4. Annexed to the writ petition is the merit list of all the candidates who participated in the promotion process being 48 in number. Their reservation status, written marks, marks in experience and marks for viva voce have been set out.
5. Correspondingly the final panel of 26 selected candidates both in the reserved and unreserved

categories have also been annexed. Both the panels are dated 5th October, 2023.

6. It appears that the reserved candidates, who got more than more marks than the unreserved candidates have been accepted in terms of the procedure of law and Rules being promoted in the unreserved category.

7. The Court has compared the marks of the selected candidates vis-à-vis the marks obtained by the entire 48 candidates, who participated in the recruitment process. The marks obtained by the selected candidates are definitely higher than the other candidates including the writ petitioners.

8. In the backdrop of the aforesaid, this Court cannot enter into a roving enquiry as to whether there is any bribe demanded or that there were other considerations for promoting the 26 candidates in the recruitment process.

9. For the reasons stated above, the promotion process for the posts of Anganwadi Worker in Hingalganj ICDS dated 5th October 2023 Project calls for no interference.

10. If any of the petitioners have paid any sums of money as allegedly demanded by the respondents, they may lodge appropriate complaints with the concerned Police Station and Police shall register FIR and conduct investigation in the matter.

11. Since respondents have not used any affidavit in opposition, none of the allegations made in the writ petition shall be deemed to have been admitted by them.

12. With the aforesaid directions, the instant writ petition shall stand disposed of.

13. There will be no order as to costs.

14. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)