

2213 18-09-2024
AKG
Ct. 15

WPA 9355 of 2022
Shyamali Khatun (Bibi) @ Shyamali (Bibi) Khatun
Vs.
The State of West Bengal & Ors.

Mr. A. K. Chakraborty,
Mr. S. Burman

...for the Petitioner

Mr. Debjit Mukherjee
Ms. Rupsha Chakraborty

...for the State

Let the report filed by the State and exception to the report filed by the petitioner be kept with the records.

Pursuant to a recruitment notification dated March 6, 2018, the petitioner applied for the post of Accredited Social Health Activist (“ASHA karmi”). The petitioner alleged that the respondent authorities illegally denied her right to be appointed to the post in question though she was the only applicant from Chak Maharam village (Mouza-Rajarampur, Paikpara Gram Panchayat/VI Sansad Area).

The report filed by the State reveals that during the period of 2018, ASHA workers were appointed at Census Village or sub-villages wise rather than on a Gram Sansad basis.

Other candidates also applied for the post in question from Tejrapur/Rajarampur Census village. Out of them, Tamali Mondal (Das) and Baby Das secured the highest marks. Accordingly, they were selected with their appointments approved on December 7, 2018.

In that view of the matter, I do not find any justification to entertain this writ petition. The petitioner's claim regarding her sole candidature for the relevant post lacks a factual basis.

Learned advocate appearing for the petitioner, however, argues that the appointment of Tamali Mondal (Das) and Baby Das have been made in violation of an order dated February 5, 2019, passed by a Co-ordinate Bench in W.P. No. 352 (W) of 2019, which directed the relevant authorities to consider the grievance of the petitioner.

I am not inclined to accept such submission.

It has been submitted by Mr. Mukherjee, learned advocate appearing for the State that alleging violation of the order dated February 5, 2019, the petitioner filed the contempt application. The violation of the said order dated February 5, 2019, should be decided on that application, if not already decided.

WPA 9355 of 2022 is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)