

WPA 9799 of 2023

**Mamata Guria Sahoo
-Vs.-
State of West Bengal & Ors.**

Mr. Surajit Dasgupta
Mr. Soumya Nag
Mr. Abhinav Rakshit
...for the petitioner

Md. Mansoor Alam
...for the State-respondents

The grievance of the petitioner is directed against the filling up of the position of ASHA (Accredited Social Health Activist) workers by the respondent no.5.

It is submitted that pursuant to a Notification dated 31st August, 2022 for engagement of ASHA workers belonging to seven specific villages, Biswas, Barsiuri, Mahisda, Padampur, Dakshin Usatpur, Barasati, Kakharda the vacancies for ASHA workers were directed to be filled up. It is the primary condition for such recruitment process that any prospective person who intends to submit her application for recruitment in a particular village must reside or belong to that particular village. It is alleged that in respect of the vacancy for ASHA employees pertaining to Mahisda village under

Raghunathpur-I Gram Panchayat, the private respondent No. 5, who is not a resident of the said village, has been appointed.

On behalf of the respondent authorities it is submitted that the “Service given area Specification” in the Notification categorically records that in respect of the vacancies for Mahisda, the workers from Mahisda Hatpara, Pakuria Para are to be engaged. It is further submitted that the respondent No. 5 is a resident of Pakuria Para and there has been no violation of the Notification in the appointment of the respondent No. 5.

From the report filed by the State-authorities, it is *ex facie* evident that the private respondent is a resident of Pakuria Dakshin Para, which is included in Pakuria Para and there has been no infraction in her engagement. In fact, the Notification clearly records that the “Service given area Specification” in respect of the appointments for Mahisda would cover the area of Pakuria Para. In such circumstances, the appointment of the respondent no. 5 has been in terms of the Notification and there has been no infraction of the same.

Accordingly, there are no grounds which warrant any interference with the selection process.

There is no illegality nor contravention of law in the impugned appointment of the respondent no. 5.

Accordingly, **WPA 9799 of 2023** stands **dismissed**.

However, there shall be no order as to costs.

(Ravi Krishan Kapur, J.)