

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 22917 of 2023

Safikunnessa Bibi
Vs.
The State of West Bengal & Ors.

Ms. Pampa Dey (Dhabal)
Ms. Sangita Banerjee
... For the petitioner

Mr. Arjun Roy Mukherjee
Mr. Subhendu Sengupta
... For the State

Mr. Surya Prasad Chattopadhyay
Mr. Arjun Samanta
... For the respondent no.10

1. A report in the form of an affidavit filed on behalf of the respondent no.7 in Court today is taken on record.
2. The private respondent no.10 is represented after being served through the State at her correct address. This Court is surprised at to why the petitioner could not provide the correct address of the private respondent no.10.
3. This is the third writ petition filed by the petitioner on the selfsame grievance. Every time the petitioner obtains additional information and files a fresh writ petition.
4. The subject matter is the recruitment process to the post of Accredited Social Health Activist (in short,

ASHA) Karmee in the district of South 24-Parganas, Magrahat-I Block.

5. The respondent no.7 has filed a report in the form of an affidavit affirmed on 1st December, 2023 wherefrom it appears that the petitioner scored higher marks insofar as the academic qualification is concerned than the private respondent no.10. She, however, scored only 1 (one) mark in the viva-voce. The respondent no.10 scored 9 (nine) marks in the viva-voce. The total marks of the respondent no.10 are, therefore, higher than that of the writ petitioner.

6. In view of the above, this Court is of the view that filing of this writ petition is an abuse of process of law.

7. The writ petition, being WPA 22917 of 2023, stands dismissed with costs assessed at Rs.5,000/- payable by the petitioner to the private respondent no.10.

8. Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Rajasekhar Mantha, J.)