

Item-
ML-26.

05-02-2024

sg

Ct. 8

MAT 2327 of 2023

CAN 1 of 2023

Bina Sharma

Versus

The State of West Bengal & Ors.

Mr. Partha Sarathi Bhattacharyya, Sr. Adv.

Mr. Sufi Kamal, Adv.

Ms. Shireen Hossain, Adv.

Mr. Raju Bhattacharyya, Adv.

...for the appellant

Mr. Tapan Kumar Mukherjee, Ld. AGP

Mr. Somnath Naskar, Adv.

...for the State respondents

1. By consent of the parties, the appeal and the application are taken up for consideration and disposed of by this common order.
2. The petitioner applied for Anganwadi Karmee on the basis of an advertisement published on 10th December, 2009. The last date of submission of the application was 5th January, 2010. She had disclosed documents to show that she had participated in the said examination, but she was not appointed. According to the petitioner, she was successful in the examination and there were 60 vacancies in the post of Anganwari Karmee in different Gram Panchayat under Ratua-I Panchayat Samity, which was divided as per 100 point roster. She did not, however, challenge the action of the Government in not giving her appointment.
3. Several writ petitions have been filed by the aggrieved candidates and the process of recruitment was stayed until 2022. The writ petitioner admittedly did not file any writ petition. The petitioner relied upon a selection process and

the Interview Board constituted in the year 2023. The memorandum dated 10th October, 2023 is produced before us, which would show the eligibility criteria of the candidate. It shows that the age limit for engagement to the position would be 18 to 35 years and the minimum educational qualification will be Class-IX (Twelve) Pass.

4. Mr. Partha Sarathi Bhattacharyya, learned Senior Counsel representing the appellant, submits that several representations were made but the respondents did not respond to the said representations. Most of the representations, however, were made in the year 2021. Nothing has prevented the writ petitioner to approach this Court immediately after her name did not appear in the selection list. We are also not aware whether she was at all selected for the said post. There has been a considerable delay in filing the writ petition. We cannot pet the clock back at this stage. Third party interest must have been accrued in the meantime. Moreover as on date, he does not fulfill the minimum educational qualification as he is only Class-X Pass.
5. Under such circumstances, we do not find any reason to interfere with the order passed by the learned Single Judge. The appeal and the application stand dismissed. However, there shall be no order as to costs.
6. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Uday Kumar, J.)

(Soumen Sen, J.)