

Court No. 2  
**02.9.2024**  
(Item No. 58)  
(AB)

**IN THE HIGH COURT AT CALCUTTA**  
**Circuit Bench At Jalpaiguri**  
**Constitutional Writ Jurisdiction**  
**Appellate Side**

**W.P.A. 366 of 2024**

Krishna Sarkar Barman  
VS  
The State of West Bengal & Ors.

Ms. Esha Acharya  
Mr. Soumyadeep Ghosh  
..... for the petitioner  
Mr. Subir Kumar Saha  
Ms. Bedashruti Bose  
.... For the State

The petitioner was an aspirant for **Anganwadi Helper**. The petitioner was selected in the written examination held in **2020**. On **December 4, 2023**, **annexure P-1** at **page 9** to the writ petition a notice was issued to the written qualified candidates to appear in the viva-voce.

Ms. Esha Acharya, learned counsel for the petitioner submits that, no such notice was received by the petitioner as no such notice was served upon her for collecting her admit card to appear in the viva voce. As a result the petitioner could not appear in the viva-voce and lost the opportunity.

Ms. Bedashruti Bose, learned State counsel led by Mr. Subir Kumar Saha, learned Additional Government Pleader on the basis of the instruction received by her submits that, the notice at **page 9** to the said writ petition provides for four options to the candidates to receive the admit cards. Such options,

inter alia, includes down loading of admit card by the candidates from the official website of the appropriate authority and collecting such admit card from the office of the appropriate authority, which are the options left with the candidates. The petitioner, even if, for the argument sake, has not received the admit card sent by the authority she could have exercised the above two options by herself to obtain the admit card. The petitioner admittedly did not opt for those options.

Learned State counsel further submits that, the post was **one**, aspirants were **five** including the petitioner. Subsequently, the viva voce has been held and the result of the selection process had been declared and the post has also been filled up. There is no chance to accommodate the petitioner in any manner.

After considering the rival contentions of the parties and upon perusal of the materials on record, it appears to this Court is that, the petitioner has not pursued her options to receive the admit card. Even if, for argument sake, this Court accepts the contentions of the petitioner that, the authority has not sent the admit card to the petitioner then also she had an option to get it down loaded from the official website of the appropriate authority or to collect it from the office of the appropriate authority.

Admittedly the petitioner chose not to opt for those options.

In as much as, merely qualifying the written examination, no right has been created in favour of the petitioner.

In view of the foregoing reasons and discussions this writ petition is totally devoid of any merit and is liable to be dismissed.

Accordingly, this writ petition **W.P.A. 366 of 2024** stands **dismissed**, without any order as to costs.

It is however made clear that, in the event, any further announcement is made for appointment of Anganwadi Helper and if the petitioner is otherwise found to be eligible to participate in such selection process, she shall be at liberty to participate in the said selection process and her candidature shall be evaluated along with others, strictly in accordance with law.

This order shall not create any right or equity in favour of the petitioner, in the event, she participates in further selection process.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously, on compliance of usual legal formalities.

**(Aniruddha Roy, J.)**