

19.06.2024
Sl. No.9(DL)
srm

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

W.P.A. No. 601 of 2024

Rebeka Khatun

Versus

The State of West Bengal & Ors.

Mr. Anirban Banerjee

...for the Petitioner.

Mr. Hirak Barman,
Mr. Kumar Shantanu

...for the State-respondents.

1. The petitioner alleges that in spite of having done extremely well in the written test and viva voce in the selection process for appointment to the post of Anganwadi Helper in the unreserved category in Rangalibazna Gram Panchayat, Alipurduar, she was not granted appointment. Candidates from reserved category were granted appointment to the unreserved vacancies.
2. The Child Development Project Officer, Madarihat ICDS Project, Alipurduar has submitted a report. The category-wise vacancies as published were UR-6, SC-3, ST-1, OBC(A)-1 and PWD-1, totalling to 12. For the preparation of the final panel in the unreserved vacancies, candidates

irrespective of the category were selected on merit basis.

In the reserved vacancies, candidates belonging to the concerned categories had been selected. Six candidates had been selected against the unreserved vacancy being the best six in the merit list, irrespective of their castes/categories. Four of the six candidates although belonged to the reserved category, but their performance and marks had permitted selection against the unreserved category, as they were way up in the panel.

3. This system is permissible. If four of the reserved category candidates had got higher marks and were entitled to be appointed on the basis of merit, the authority could appoint them irrespective of the fact that they belonged to a reserved category.
4. Under such circumstances, I do not find any reason to keep the writ petition pending as no gross violation of the rules has been pointed out by the petitioner. However, the petitioner is entitled to know the marks that have been obtained by the petitioner and those obtained by the six selected candidates.
5. Under such circumstances, the Child Development Project Officer, Madarihat ICDS Project, Alipurduar, shall intimate the petitioner the names and the marks obtained

by the six selected candidates under the unreserved category within a period of six weeks from the date of communication of this order.

6. The writ petition is, thus, disposed of.
7. There shall be no order as to costs.
8. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)