

03.4.2025
Ct. No. 2
Sl. No.10
Moumita

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA 4845 of 2025

Sadhana Mahata
Vs
The State of West Bengal and Ors.

Mr. Kalyan Kumar Panda
Mr. Uttam Kumar Roy
..... for the Petitioner
Mr. Somnath Ganguly, Ld. Sr. AGP
Ms. Sangeeta Roy
..... for the State

Affidavit of service filed in Court today, is taken on record.

Mr. Kalyan Kumar Panda, learned advocate with Mr. Uttam Kumar Roy, learned advocate appears for the petitioner.

Mr. Somnath Ganguli, learned Additional Government Pleader with Ms. Sangeeta Roy, learned advocate appears for the state.

The petitioner is an aspirant for the post of **Asha Karmi** at the relevant Panchayat. The petitioner submits that when the selection list was published petitioner's name was there in the first position. But since then though the panel has been prepared including the name of petitioner, **annexure P-4 at page 15** to the writ petition, the panel has not been approved till date.

Petitioner has made a representation dated **November 29, 2024, annexure P-7 at page 26** to the writ petition though the selection process was of **2013**.

In view of the above, in the event the panel has not yet been approved then the respondent no. 2 upon issuing a prior notice of hearing to the petitioner and after granting her an opportunity of hearing shall consider the said representation dated **November 29, 2024, annexure P-7 at page 26** to the writ petition by passing a reasoned order in accordance with law.

It is made clear that, this court has not gone into the merits of the claim of the petitioner and the petitioner shall be at liberty to urge whatever points she wishes to urge by relying upon whatever records and documents she wishes to rely upon before the **respondent no. 2.**

The entire exercise shall be carried out and completed by the **respondent no. 2** positively within a period of **six weeks** from the date of communication of this order and the reasoned order then shall be communicated to the petitioner positively within a further period of **one week** from the date of the said reasoned order to be passed.

It is made clear that, this order shall not be treated as a mandate upon the respondent authorities to approve the panel since the same will be a policy decision of the State, more so, merely being empanelled no right is created in favour of the petitioner. Inasmuch as, the selection process was of **2013** and the petitioner has submitted its representation in **2024.**

It is also made clear that, this order shall not create any right or equity in favour of the petitioner if the petitioner does not succeed to her claim before the **respondent no. 2** strictly in accordance with law.

In the event, the reasoned order goes in favour of the petitioner then the respondent no. 2 and/or any other appropriate State authority shall give an immediate effect thereto in accordance with law but positively within a period of **six weeks** from the date of the said reasoned order to be passed.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition, **WPA 4845 of 2025** stands **disposed of**, without any order as to costs.

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.)