

2907
2025

TUESDAY

Court : CB-07
Item : DL-23
Bench : SINGLE
Matter : WPA
Status : DO
ID : 266057
AR : NANDY

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 10508 OF 2022

RANGILA KHATUN
VS.

THE STATE OF WEST BENGAL & ORS.

MR. RAJENDRA BANERJEE, ADVOCATE
MR. SOUMIK GANGULY, ADVOCATE

.....for the Petitioner

MR. ANIMESH MUKHERJEE, ADVOCATE
MR. MD. ALI AHASAN, ADVOCATE

.....for the Private Respondent

MR. SUBHABRATA DAS, ADVOCATE

.....for the State

1. The present writ petition has been filed praying for the issuance of a writ of mandamus directing the concerned respondents to revise the panel prepared for the post of HR Support for Data Entry Operator (DEO) at Nalhati-II Development Block, Lohapur, Birbhum, by excluding the name of the private respondent and to complete the selection process by appointing the petitioner to the said post.
2. Mr. Banerjee, learned Advocate appearing on behalf of the petitioner, submits that in the year 2021, the office of the Block Development Officer (BDO), Nalhati-II Development Block, Birbhum, initiated a selection process for the post of HR Support for Data Entry Operator (DEO) in the said block. The selection process was exclusively limited to members of self-help groups. In pursuance thereof, a notice was issued by the competent authority inviting applications from eligible and interested candidates for the said post.
3. Mr. Banerjee submits that one of the essential qualifications for the post was that the applicant must be a member of a self-help group and a permanent resident of the concerned block. He further submits that the petitioner fulfilled all the required qualifications and accordingly submitted her candidature for the post. However, to her utter surprise, the petitioner found that the private respondent was placed at the top of the panel, although, according to the petitioner, the private respondent

was neither a member of any self-help group nor a permanent resident of the said block.

4. Mr. Banerjee submits that the private respondent, after her marriage, began residing at her matrimonial home located in a different block. However, in order to secure the appointment to the post in question, she submitted a *Talaqnama*. Mr. Banerjee contends that the said *Talaqnama* is forged and fabricated. He further argues that the appointment of the private respondent is manifestly illegal. Accordingly, he prays for a direction upon the appropriate authority to exclude the name of the private respondent from the selection panel and to include the name of the petitioner in her place.
5. Mr. Mukherjee, learned Advocate appearing for the private respondent, vehemently opposes the contention advanced by Mr. Banerjee. He submits that the private respondent produced all relevant documents before the selection committee, and upon being satisfied that she met all the essential qualifications, the committee placed her at the top of the panel. He submits that there is no merit in the petitioner's claim that the private respondent failed to meet the essential qualifications. Mr. Mukherjee further submits that the private respondent is a member of the 'Bhai-Bon' self-help group, which operates from the village of Birol Chowki, District – Birbhum. He asserts that this village falls within the territorial limits of the concerned block.
6. Mr. Das, learned Advocate appearing for the State, submits that upon receipt of the complaint from the petitioner, an enquiry was conducted by the concerned BDO, and a three-member committee was also constituted. The BDO had also called for a report from the self-help group to ascertain whether the private respondent possesses the requisite qualifications for appointment to the post.
7. In response to my enquiry, Mr. Das has categorically stated that the private respondent is a member of a self-help group. He further submits that the entire selection process has been stalled due to the baseless allegations made by the

petitioner.

8. Heard the learned Advocate for the respective parties. Perused the materials-on-record.
9. It is needless to state that the resolution of the issue raised in this writ petition hinges upon the determination of the factual question as to whether the private respondent fulfilled the essential qualifications for appointment to the post.
10. The record reveals that, upon receipt of a complaint from the petitioner, the concerned Block Development Officer (BDO) conducted an inquiry to ascertain whether the private respondent possessed the essential qualifications for appointment to the said post. As noted earlier, a three-member committee has been constituted, and the BDO has also called for a report from the relevant self-help group.
11. The notice inviting applications from eligible candidates instructed them to submit documents establishing their residential status. However, it was not specifically mentioned that candidates were required to be permanent residents of the concerned block. The enquiry report submitted by the BL & LRO indicates that the private respondent is not currently residing with her husband and is now living with her father at her parental home which is located in the Nalhati-II Block.
12. Thus, as the fact-finding authority, after conducting the necessary enquiry, has arrived at a conclusion that the private respondent met the essential qualifications, and no convincing material has been placed on record to warrant a decision contrary to the conclusion reached by the Block Development Officer, I do not find any merit in the petitioner's contention that the private respondent failed to meet the essential criteria, thereby requiring the respondents to recast the panel.
13. Therefore, for the above reasons, the writ petition is, thus, dismissed; however, there shall be no order as to the costs.

(PARTHA SARATHI CHATTERJEE, J.)

