

09.09.2025
Sl.06.
Suman
Ct.No.15

WPA 16572 of 2025

Nuri Firdous
Vs.
The State of West Bengal and Ors.

Mr. Shamim ul Bari
Ms. Jhilik Singha
Ms. Asmita Mitra
...for the petitioner

Mr. Amitabrata Roy
Mr. Sudipto Panda
Mr. S. Banerjee
...for the State

The petitioner has been appointed as a “Health Assistant (Female)” and is presently serving in the district of Purba Bardhaman.

Learned counsel appearing for the petitioner submits that the petitioner ought to have been posted in the district of Malda as her initial place of posting. In support of such contention, reliance is placed on a judgment dated August 24, 2022, passed by a Co-ordinate Bench of this Court in WPA 15391 of 2022 (Moumita Barman vs. The State of West Bengal & Ors.).

Mr. Sudipto Panda, learned counsel appearing for the State, has drawn the attention of this Court to a Circular dated January 29, 2024, appearing at page 44 of the writ petition. It is submitted that, in terms of the

said circular, a Health Assistant (Female) is to be initially posted at any sub-centre in any district of West Bengal where a vacancy exists at the relevant point in time. In view of the said circular, it is contended that the petitioner cannot claim a right to be posted in her home district in the first instance.

Learned counsel for the petitioner, however, argues that the said circular is not applicable to her case, as she was selected in the year 2022. He contends that the circular dated January 29, 2024, has only retrospective application.

I am unable to accept the aforesaid contention. While the petitioner may have been selected in 2022, her right to posting accrues only upon successful completion of training. In the present case, the petitioner was appointed on February 21, 2024—subsequent to the issuance of the circular dated January 29, 2024.

In my view, therefore, the petitioner's case is squarely governed by the circular dated January 29, 2024. Accordingly, I find no merit in the submission that she has a vested right to be posted in her home district as her first place of posting.

Learned counsel for the petitioner has further drawn attention to a representation dated June 6, 2024, appearing at page 43 of the writ petition.

It is made clear that the competent authority shall be at liberty to consider the said representation of the petitioner, in accordance with law, within a period of three weeks from the date of communication of this order.

Accordingly, **WPA 16572 of 2025** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)