

WPA 20480 of 2024
Smt. Puja Singh
Vs.
The State of West Bengal & Ors.

Mr. D. N. Chatterjee,
Mr. Madhusudan Mondal

...for the Petitioner

Ms. Munmun Ganguly,
Mr. Biman Haldar

...for the State

The grievance of the petitioner is that she has been illegally deprived of her right to be appointed as an “ASHA Karmee” under six Development Blocks within the jurisdiction of Raghunathpur Sub-Division, District Purulia.

Learned counsel appearing on behalf of the petitioner submits that the post in question was reserved for a Scheduled Caste candidate; however, a candidate belonging to the General category has been appointed.

Learned counsel appearing for the State has placed a report on record, a copy of which has been duly supplied to the learned counsel for the petitioner.

It has been correctly pointed out by the learned counsel for the State that the post was not reserved for a Scheduled Caste candidate; rather, only a preference was to be accorded to a Scheduled Caste candidate.

From the report it further appears that the petitioner secured 31.89 marks in the selection process, whereas the

last selected candidate secured 37.08 marks.

It is well settled that “preference” can be extended only when other relevant factors are equal. It is not the petitioner’s case that she was otherwise equal in merit to the selected candidates. Admittedly, the petitioner obtained fewer marks than the candidates belonging to the General category. Consequently, no question arises of granting preference to the petitioner solely on the ground that she belongs to the Scheduled Caste category.

Accordingly, **WPA 20480 of 2024** is dismissed.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)