

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. 24730 of 2025

03 07.11.2025
rkd Ct.02
DO

Urmila Das

-vs-

The State of West Bengal & Ors.

Ms. Pampa Dey Dhabal,
Ms. Sangita Banerjee

....for the petitioner.

Mr. Pranab Halder

....for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. It is submitted on behalf of the petitioner that first she was working as Anganwadi Worker on contractual basis on and from 3rd December, 1985 and subsequently, petitioner was appointed as Anganwadi Worker vide memo dated 7th August, 1995 issued by the then Child Development Project Officer, Gosaba, ICDS Project, South 24 Parganas in Mathura Khanda ICDS Centre.
3. Petitioner submitted her transfer certificate issued by Bipradaspur High School, South 24 Parganas dated 3rd December, 1985 wherein it is certified that date of birth of the petitioner is 24th August, 1965. In support of said date of birth reliance is also placed on petitioner's Aadhaar Card, Voter

Identity Card, Pan Card and particulars of the petitioner uploaded in the relevant service portal. All these documents corroborate date of birth of the petitioner is 24th August, 1965.

4. As petitioner was working with effect from August, 1995 on substantive basis as Anganwadi Worker date of superannuation of the petitioner was scheduled in the month of August, 2030 taking note of petitioner's date of birth 24th August, 1965.
5. Challenge is thrown to the notice dated 11th September, 2025 whereby present Child Development Project Officer, Gosaba, South 24 Parganas being respondent no.7 preponed date of retirement of the petitioner on 31st August, 2025 based on transfer certificate which is at page 46 of the writ petition.
6. However, on perusal of the said transfer certificate it appears that year of birth of the petitioner by interpolation is stated as 1960 and date of said certificate was also changed from 3rd December, 1985 to 11th September, 2000.
7. On query being posed to the learned advocate representing the State respondents in order to ascertain the basis of said impugned superannuation notice dated 11th September, 2025 Court does not get satisfactory reply.

8. It is not demonstrated on behalf of the State respondents that any proceeding was initiated in order to find out the actual date of birth of the petitioner.
9. Transfer certificate previously submitted by the petitioner, Aadhaar Card, Voter Identity Card, Pan Card and particulars of the petitioner uploaded in the service portal were not taken into consideration in order to arrive at a conclusion relating to date of birth of the petitioner by the respondent no.7.
10. On the contrary simply relying upon a transfer certificate containing interpolations and overwriting respondent no.7 unilaterally came to a finding that date of birth of the petitioner is 24th August, 1960 without granting opportunity to the petitioner to present her case relying upon relevant documents. It should be taken into consideration that petitioner is working as substantive Anganwadi Worker from August, 1995.
11. In view of aforesaid consideration impugned notice dated 11th September, 2025 is set aside.
12. Petitioner shall be permitted to function as Anganwadi Worker till date of her superannuation based on the documents submitted earlier.
13. However, respondent no.7 shall be at leave in the event said respondent has doubt relating to date of

birth of the petitioner to initiate appropriate proceeding against the petitioner to find out whether petitioner's date of birth is different from the date of birth as indicated in the documents submitted by the petitioner.

14. The writ petition stands disposed of.

15. There shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)