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jdt. 31.03.2026
jb.

WPA 651 of 2025
(Tariful Khatun vs. State of West Bengal & Ors.)

Sarwar Jahan
Ashraful Huq
Ms. Shalini Sen
Sahina Parvin
.... **For the Petitioner**
Rezaul Hussain
.... **For the State**

Report in the form of affidavit filed by the 11th respondent is taken on record.

Learned counsel for the petitioner submits that that pursuant to a notification issued by the Sub-Divisional Officer, Jangipur, Murshidabad on 31st August, 2023 for engagement of Accredited Social Health Activist (In short 'ASHA'), the petitioner applied for the said post under Kabilpur RCH under Kabilpur Gram Panchayat, Part Nos. 155, 156, 163, Sagardighi Constituent Assembly. The petitioner is a permanent resident under Kabilpur Gram Panchayat. Despite being eligible for the said post, she was not appointed for the post. Instead, the 14th respondent Mst. Ayesha Khatun was appointed in spite of the fact that she is a permanent resident of Lalbagh, Murshidabad and not of Sagardighi. The petitioner submitted a complaint before the District Magistrate, Murshidabad at Berhampore on 5th December, 2024 in this regard which is yet to be

considered. The petitioner seeks consideration of the same.

It appears from the report submitted by the State that the 14th respondent submitted her voters identity card issued on 15th March, 2020 before the concerned authority wherein she is described as a resident of Sagardighi. The voter card demonstrates her father's name which prima facie indicates that the card was issued prior to her marriage. The subsequent voter card demonstrates the name of her husband and records her name as a resident of Lalbagh, Murshidabad. Surprisingly, a residential certificate has been issued in her favour by the Block Development Officer, Sagardighi on 2nd December, 2024 certifying her to be a permanent resident of Sagardighi on the basis of document/evidence dated 2nd December, 2024 submitted by her. This is contradictory to the subsequent voter identity card of the 14th respondent.

Learned counsel for the State submits that the petitioner obtained 6th position out of 7 candidates who applied for the post. There were only three vacancies in each part.

It prima facie appears that the 14th respondent was not a permanent resident of Sagardighi when the application was submitted. The matter needs to be enquired into by the District Magistrate, Murshidabad at Berhampore.

In view of the above, the District Magistrate, Murshidabad at Berhampore being the 8th respondent herein, is directed to consider and dispose of the representation submitted by the petitioner on 5th December, 2024 within six weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioner and the private respondent, in accordance with law.

The decision taken by the authority shall be communicated to the parties within a week thereof.

The writ petition is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)