

17.03.2026
rc/ct.no.15
Item No.34

WPA No. 2823 of 2025
Merina Khatun
Versus
The State of West Bengal & Ors.

Mr. Anindya Bose
Mr. Santanu Maji
Ms. D. Mondal
Ms. Raima Das ..for the petitioner

Mrs. Rupsha Chakraborty
Ms. Tuhina Parvin ..for the State

Inadvertent error has crept into the order dated November 12, 2025 which is corrected as follows.

In the cause title of the order the name of *Ms. Tuhina Parvin* be recorded as learned counsel appearing on behalf of the State in addition to the name already appearing.

The department is directed to incorporate necessary correction.

This order be treated as part of the order dated November 12, 2025.

Affidavit of service filed by the petitioner and report submitted by the State are taken on record.

Learned counsel for the petitioner submits that the petitioner applied for the post of Anganwari Karmi and Anganwari Shahayika in response to an advertisement issued by the concerned department on July 11, 2007. Though she qualified in the written test and was called for

viva voce and her name also appeared in the list of successful candidates, one Sahamina Khatun who secured the same marks as the petitioner was selected despite the fact that she was junior to the petitioner in age and the petitioner was eligible for the post on that score. The petitioner approached this Court in a writ petition being WPA No. 22415 of 2009 and by an order passed on October 03, 2023, a coordinate Bench of this Court directed the concerned authorities to reconsider the petitioner's candidature in the light of the observation made in the said order. Pursuant thereto, the issue was revisited by the authority and the petitioner was granted appointment. The petitioner seeks notional benefit of service from 2007 till the date of her appointment. A representation was submitted on behalf of the petitioner in this regard on December 19, 2024. The petitioner seeks consideration of the said representation.

It appears from the report submitted by the State that since the petitioner was given appointment on December 08, 2023 to the post of Anganwari worker and joined the post on December 12, 2023, she is drawing honorarium and additional honorarium from the date of her joining the post. No such benefit was accorded to her during the period 2007-2023 as she was not holding the post during that period.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since

the comprehensive representation submitted on behalf of the petitioner is yet to be considered, the Child Development Project Officer, Bhagawangola-II ICDS Project, being the 3rd respondent herein, be directed to consider and dispose of the representation within three weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioner, in accordance with law.

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

The writ petition is disposed of.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)