

WPA 5255 of 2024
Prasantika Parvin
Vs.
State of West Bengal & Ors.

Mr. Md. Yusuf Ali

...for the Petitioner

Mr. Lalit Mohan Mahata,
Mr. Ziaul Haque

...for the State

The State, by filing a report in the form of an affidavit, in fact supports the case of the petitioner. The State further acknowledges that the petitioner, who scored highest marks in the selection process, ought to have been appointed to the post of “ASHA Worker” at Bishnupur Upa-Sasthya Kendra, Swarupnagar, District – North 24 Parganas.

Despite service of notice, respondent no. 9 remains unrepresented. Let the affidavit of service filed by the petitioner be kept on record.

It appears that the petitioner had applied for the post of “ASHA Worker” at the aforesaid health centre pursuant to an advertisement dated July 13, 2018. Upon completion of the selection process, a panel was prepared. As admitted by the State in its report filed before this Court, owing to an error, respondent no. 9, who secured the lowest marks (39.86) in the selection process, was placed at the first position in the panel while the petitioner was placed

second, notwithstanding the fact that the petitioner secured the highest marks (50.61).

The faulty panel was forwarded to the Mission Director, National Health Mission, for final approval on May 31, 2022. Consequently, the appointment of respondent no. 9 was approved by the State by a memorandum dated June 27, 2022. Respondent no. 9 thereafter joined the post and it is not in dispute that she continues to hold the said position.

The report filed by the State, however, reveals that by a communication dated October 18, 2025, the concerned Chief Medical Officer of Health addressed to the Programme Officer-II (NHM) and the Deputy Secretary, Department of Health & Family Welfare, Government of West Bengal, sought necessary guidance for rectification of the said error.

In the aforesaid factual backdrop, this Court has no option but to allow the writ petition by cancelling the appointment of respondent no. 9 to the post in question with immediate effect.

The respondents are directed to take all necessary steps to appoint the petitioner to the said post within a period of four weeks from the date of communication of this order, upon compliance with all requisite formalities.

Accordingly, **WPA 5255 of 2024** stands disposed of.

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.)