

07-04-2026
Item No.17
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction

Appellate Side

WPA No.8569 of 2025

Smt. Bandana Mandal

-vs-

The State of West Bengal & Ors.

Mr. Saibal Acharyya

Mr. Avijit Ghoshal

...for the petitioner

Name not supplied

...for the State

1. The matter relates to appointment of ASHA.
2. The petitioner challenges a report prepared by the Sub-Divisional Officer, Malda Sadar on February 4, 2025 annexed as Annexure C to the writ petition (p.26).
3. It has been found that the petitioner is a resident of the village Sahilapur and that she is not a resident of the village Ramnagar. ASHA is required to be engaged in the Akandabaria sub-centre under Akandabaria Gram Panchayat of Kaliachak-III.
4. The eligibility for engagement as ASHA is that the member has to be a resident of the area where ASHA will be engaged.
5. The authority has found that the petitioner is not the resident of the area where ASHA has been engaged.
6. It appears that due to an inadvertent error in the notification which was published, the engagement was given to the petitioner. On detection of the error, the same has been rectified and the service

of the petitioner stood terminated.

7. It has been submitted that since all the documents of the petitioner were verified prior to issuance of the engagement letter, accordingly, at this stage the authority cannot raise the plea of inadvertent mistake.
8. The Court is of the opinion that the authority ought to rectify the mistake, the moment the same comes to the notice of the authority.
9. It will be highly improper to continue with the mistake despite noticing the same. Perpetuating the mistake cannot be permitted.
10. In view of the above, the Court is not inclined to entertain the writ petition.
11. The writ petition fails and is hereby dismissed.
12. The petitioner is at liberty to approach the competent forum, in case she seeks any further remedy.
13. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
14. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

