

WPA 30496 of 2014

13.05.2026

ct.652, sl.254

sk

Formila Parvin(Bibi) & Ors.

-vs-

The State of West Bengal & Ors.

Mr. Kamalesh Bhattacharya
Mr. Aninda Bhattacharya
...for the petitioner

1. The writ petitioners No. 1 to 4 do not proceed with the present writ petition for the reason that they have already been given appointment.
2. The other writ petitioners No. 5 to 18 have raised grievance that the respondent/ Child Development Project Officer, Dinhata-I, Dinhata, District Cooch Behar has acted in violation of the order of the Court dated 28th August, 2014, in Writ Petition No. WPA 23561(W) of 2014 by not giving effect to the panel incorporating their names for appointment in the posts of Anganwadi Workers and instead by issuing further vacancy notification, initiated recruitment process afresh.
3. Mr. Kamalesh Bhattacharya, learned advocate appearing for the writ petitioners have categorically submitted that the petitioners were

successful in the recruitment process and their names were empanelled in the year 2007.

4. However, without grant of appointment to the empanelled candidates i.e. writ petitioner nos. 5 to 18, the respondent authority has proceeded to issue vacancy notification initiating the recruitment process afresh without granting of appointment to the already empanelled persons as mentioned above.
5. He submits that the publication of notification by the respondent as above was challenging by the empanelled candidates before this Court. The Court disposed of the said writ petition by dint of the order dated 28th August, 2014 in which the Court records as follows:-

“No material is produced before this Court to show the reasons of a non-compliance of the above Government order in the vacancies under reference.

No material is produced by the respondent authorities in support of the above action in keeping the panel prepared in accordance with law pending for filling up of the posts of Anganwadi workers in respect of the area under reference and to issue a notice afresh

inviting applications from the eligible candidates to fill up the aforesaid posts”.

6. Subsequent to the said order of the Court by dint of which, he says, that the petitioners' right to be appointed as the Anganwadi Workers being the successful empanelled candidates has crystallized, the petitioners made a written communication dated 8th September, 2014 to the respondent Child Development Project Officer, Dinhata-I, Dinhata, District Cooch Behar but for no response or redressal of their grievances till date.
7. He expresses the grievance of the writ petitioners that the petitioners are entitled to be appointed as against the vacant post as per order of the Court mentioned above and without filling up of those vacancies with the successful writ petitioners, who have been empanelled candidates of earlier process, the respondent could not have proceeded to publish further vacancy notification for fresh recruitment.
8. Having heard Mr. Bhattacharyya on behalf of the writ petitioners and having perused the materials on record, including the order of the Court, as mentioned above, I find that the writ petitioners have genuine reasons for being

aggrieved, being armed with the order of the High Court and also being the successful empanelled candidates in the recruitment process.

9. Today, none appears on behalf of the respondent authority. However, in view of the facts and circumstances of the case as stated above, it is found proper to dispose of the instant writ petition by directing the respondent/ Child Development Project Officer, Dinhata-I, Dinhata, District Cooch Behar to immediately consider the petitioners' representation dated 8th September, 2014 and dispose of the same by dint of a reasoned order.
10. Hence, the present writ petition is being disposed of with the direction upon the said respondent as above. Let it further be mentioned that the said respondent shall give reasonable opportunity of hearing to the writ petitioners/their representatives and conclude the entire exercise as directed, within a period of three weeks from the date of communication of this order.
11. The respondent's order should be communicated to the writ

petitioners/representatives of them within a period of one week from its date.

12. The writ petition No. WPA 30496 of 2014 is disposed of along with the application pending, if any.

13. Urgent Xerox certified copy of this order, if applied for, be given to the parties on priority basis.

(Rai Chattopadhyay, J.)