

Item No.48

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

04.12.2023
Ct-24
AGM

WPA 13685 of 2023
Rupali Mondal (Ghosh)
v.
The State of West Bengal & Ors.

Mr. Srikanta Datta

... for the petitioner.

Mr. Rezaul Hossain

... for the State.

Perused the report of the Chief Medical Officer of Health, Murshidabad filed before this Court today.

It appears therefrom that after receipt of all originals in compliance of the directives given by the AMD-NHM, a report was submitted by CMOH signed on 7th September, 2023 to the Additional Mission Director, National Health Mission, West Bengal.

It has been submitted that the post of ASHA in respect of Majiara Sub-Centre under Burwan Block of Murshidabad District is lying vacant since long. The CMOH seeks necessary direction for filling up the vacant post as per the Government guidelines.

From the documents annexed to the writ petition, it appears that the petitioner was found entitled to be engaged as ASHA long back. The selection process was initiated in the year 2009 but till date the same is yet to be finalised.

The learned advocate for the petitioner submits that the date of birth of the candidate whose engagement has been cancelled, that is, Smt. Pravati Ghosh (Mandal) has been wrongly recorded in the enquiry report of the Assistant Chief Medical Officer of Health, Kandi, Murshidabad dated 2nd December, 2010. The correct date of birth of the said candidate is 28th February, 1978.

The respondent no. 2, being the Mission Director, National Health Mission is directed to take prompt necessary steps, in accordance with law, to fill up the vacancy of ASHA from the existing panel at the earliest but positively within a period of four weeks from the date of communication of this order.

The writ petition stands dismissed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)