

22.12.2023.
Court No.13
Item No. 30
ap

W.P.A. No. 5841 of 2023

**Madhuri Singha
Versus
The State of West Bengal & Ors.**

Mr. Debangana Bhattacharjee,
Mr. Chitta Ranjan Das,
Ms. Swarnali Saha,
Mr. Mahiul Islam.

...For the petitioner.

Mr. Rezaul Hossain.

...For the State.

1. The petitioner applied for the post of ASHA Karmee, in the process of recruitment held in the year 2022 at Singardaha Sub-Center under Domohona Gram Panchayat in Karandighi Block, Uttar Dinajpur.
2. The petitioner secured 49.25% marks in Madhyamic Examination. The successful candidate, namely, Mandira Singha, respondent no.9, who was appointed, obtained 30.63 marks in Madhyamic Examination conducted by the West Bengal Board of Secondary Education for the year 2023.
3. However, the said Mandira Singha actually produced in the selection process a School going Certificate from one Sapna High School in Madhya Pradesh and is stated to have passed the Secondary Examination conducted by the Board of Higher Secondary Education in the year 2013.
4. It is impossible for a candidate to sit for the Board Examination in the same year from two separate

Boards and enrolled in two separate Schools and that too on two different States.

5. The Sub-Divisional Officer is stated to have written to Sapna High School in question to ascertain the veracity of the private respondent credentials. No reply has been received. A complaint was also lodged with the local Police Station in this regard.

6. It is ordered that the investigation into the matter be entrusted by the Superintendent of Police, Uttar Dinajpur to the concerned Police Station and a FIR be registered in this regard. The Sub-Divisional Officer shall extend all co-operation to the Uttar Dinajpur Police.

7. The appointment of the private respondent, namely, Mandira Singha as ASHA Karmee at Singardaha Sub-Center under Domohona Gram Panchayat in Karandighi Block, Uttar Dinajpur shall stand quashed and set aside.

8. The Sub-Divisional Officer, Uttar Dinajpur shall appoint the petitioner, Madhuri Singha, as ASHA Karmee immediately upon received a copy of this order and the petitioner shall be allowed to function thereat.

9. This court notices that this is a second case of this nature. The earlier case was in W.P.A. No. 4199 of 2023 that was dealt with by the order dated 28th November, 2023.

10. A copy of the order dated 28th November, 2023 passed in W.P.A. No. 4199 of 2023 is kept with the record.

11. With the aforesaid directions, the instant writ petition shall stand disposed of.

12. There will be no order as to costs.

13. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)