GAHC010165012020

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : PIL/71/2020

SAJRUL HOQUE TAPADAR AND 12 ORS
S/O. SHAFUQUR RAHMAN, VILL. RANIGRAM, P.O. JALAL NAGAR T.E., KRISHNANAGAR GAON PANCYAYAT, DIST. KARIMGANJ, ASSAM.

2: ABDUL BASIT

3: ABDUL JALIL

4: MUZIR UDDIN

5: MD RAKIB ALI

6: KHALILUR RAHMAN

7: FAKAR UDDIN

8: MUHIBUR RAHMAN

9: PRADIP DEY

10: AMRUZ ALI

11: SIDDEK ALI

12: SAHARUL ALOM @ SUMMON AHMED

13: MINTU CHAND

VERSUS

THE STATE OF ASSAM AND 6 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
PANCHAYAT AND RURAL DEVELOPMENT DEPTT., DISPUR, GUWAHATI-06.

2:THE CHIEF EXECUTIVE OFFICER

3:THE DY. COMMISSIONER

4:THE BLOCK DEVELOPMENT OFFICER

5:THE SECRETARY

6:KRIPA SANKAR DUTTA

7:PRESIDEN

Advocate for the Petitioner : MR. I A TALUKDAR

Advocate for the Respondent : SC, PNRD

BEFORE

HON'BLE THE CHIEF JUSTICE (ACTING) MR. N. KOTISWAR SINGH
HON'BLE MR. JUSTICE MANISH CHOUDHURY

ORDER

26-11 -2020

[N. Kotiswar Singh, CJ(Acting)]

Heard Mr. I.A. Talukdar, learned counsel for the petitioners. Also heard Mr. A. Roy, learned Standing Counsel, PNRD and Mr. T.C. Chutia, learned Senior Government Advocate, Assam.

2. The matter pertains to the alleged misappropriation of public fund and large scale corruption in Krishna Nagar Gaon Panchayat under Karimganj Development Block. It appears from the pleadings that already an FIR has been lodged by the Block Development Officer, South Karimganj Development Block on 06.02.2020, making serious allegation against one Kripa Shankar Dutta, the Secretary to the Krishna Nagar Gaon Panchayat and others. That apart, it is also seen that a complaint case being CR case No.214/2020 has also been lodged before the Chief Judicial Magistrate, Karimganj.

3. From the above, it appears that the criminal justice system has already been invoked relating to the serious allegations of the corruption.

In that view of the matter, we do not feel it will be appropriate at this stage to entertain the present PIL and accordingly, the same stands closed. However, liberty is granted to the petitioners to approach the competent forum at appropriate time, if no action is taken by the concerned respondent-authorities regarding serious defalcation of public money.

4. It has been submitted by learned counsel for the petitioners that the petitioners had furnished a representation on 14.10.2020 before the respondent no.1, which has not been considered yet. Accordingly, the petitioners shall furnish a copy of the representation dated 14.10.2020 to the respondent no.1 and thereafter, the respondent no.1 shall dispose of the said representation in accordance with law.

JUDGE CHIEF JUSTICE (ACTING)

Comparing Assistant