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**W.P.A. 3783 OF 2020**

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(Through Video Conference)

Biswa Parichay Self Help Group & Anr.

Vs.

The State of West Bengal & Ors.

Ms. Daisy Basu

Mr. Jayanta Mukherjee

Ms. Benazir Hasna.

... For the Petitioners

Mr. Susovan Sengupta

Mr. Subir Pal.

...For the Respondents

This is an application under Article 226 of the Constitution of India wherein the petitioners are aggrieved by the inaction on the part of the respondents/authorities in granting them approval for engagement for supply of food grains to different ICDS in Murshidabad, West Bengal.

Ms. Basu, counsel appearing on behalf of the petitioners submits that this is the second round of litigation and on an earlier occasion this Court had directed the District Magistrate concerned to consider the representation of the petitioners and pass a reasoned order. Subsequent to the order dated August 22, 2019 passed by this Court, the District Magistrate of Murshidabad by an order dated September 19, 2019 passed an order in favour of the petitioners. Ms. Basu submits that inspite of such order and a further

representation made by the petitioners before the Joint Secretary, Government of West Bengal, Department of Child Development and Woman Development dated November 9, 2019, no action has been taken by the relevant authority.

Mr. Sengupta, learned counsel appearing on behalf of the State submits that the Joint Secretary, Government of West Bengal should be directed to consider the representation dated November 9, 2019 and pass an order within a time-bound period.

I have heard counsel on behalf of both parties and perused the materials on record. In my view, the action of the authority in not complying with the order of the concerned District Magistrate and keeping silent on the engagement of the petitioners is contrary to established principles in law. It is clear that the order of the concerned District Magistrate has been passed in the month of September, 2019 and till date the authority is sitting over the same. Granting another opportunity to the authority to consider the representation of the petitioners would only procrastinate the entire matter.

In light of the same, I direct the Joint Secretary, Government of West Bengal to forthwith act on the recommendation of the concerned District Magistrate and engage the petitioners in accordance with law, preferably within a period of two weeks from date.

The writ petition is disposed of. There shall be no order as to costs.

Since no affidavit-in-opposition is called for, the allegations made in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

**(Shekhar B. Saraf, J.)**