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W.P.A. 6783 OF 2020

(Through Video Conference)

Bapi Ghosh

Vs.

The State of West Bengal & Ors.

Mr. Sakya Sen
Mr. Sunil Gupta.

... For the Petitioner

Mr. T. M. Siddiqui
Mr. Munshi Mujiber Rahaman.

...For the Respondents

This is an application under Article 226 of the Constitution of India wherein the petitioner is aggrieved by the inaction on the part of the Government authorities specifically being the Block Development Officer, Raghunathganj-II, Murshidabad (Respondent no. 3).

The case of the petitioner is that the petitioner had been arrested on June 13, 2020 and, accordingly, Upa-Prodhan, Jotekamal Gram Panchayat, Raghunathganj, Murshidabad was temporarily discharging the duties of the Prodhan (i.e. the petitioner's duties).

Mr. Sakya Sen, learned counsel is appearing on behalf of the petitioner and submits that the petitioner was granted bail and, thereafter, he had issued a letter to the said Block Development Officer on July 13, 2020 showing his willingness to resume duties.

Mr. Sen submits that there is no impediment or bar in his resuming the duties and the Block Development Officer's inaction is contrary to law.

In view of the above submissions, I direct the said Block Development Officer to take cognisance of the letter of the petitioner dated July 13, 2020 and reinstate the petitioner unless there is a legal impediment to the same 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.)