

23.08.2021
Sl. No.6
nb

W.P.A. No. 10583 of 2021
(via video conference)
Yousuf Molla
Vs.
The State of West Bengal & Ors.

Mr. Debjyoti Deb,
Mr. Tamal Ghosh

...for the Petitioner.

Mr. Jahar Lal De
Mr. Shamim-ul-Bari

...for the State.

Mr. Debabrata Saha Roy,
Mr. Subhankar Das

...for the Respondent No.7

Upon the undertaking given by the learned advocate for the petitioner for putting in the court fees within two weeks from date, the matter is taken up. Let such court fees be furnished within two weeks.

The legible copies of the annexures filed in court today, be kept on record.

The writ petition was filed challenging the deliberate action of the Block Development Officer, Basanti Development Block, South 24 Parganas, is not allowing the petitioner to join his office as the Pradhan of Falmalancha Gram Panchayat, despite directions from the District Magistrate, South 24 Parganas.

Mr. Debjyoti Deb, learned advocate appearing for the petitioner submits that subsequently the Block Development Officer issued an order on June 28, 2021 allowing the petitioner to join the office. Mr. Deb submits that the allegations in the writ petition do not survive, inasmuch as, an order has been passed by the Block Development Officer allowing the petitioner to resume office. However, Mr. Deb submits that there is total non-co-operation in the office. In my opinion, this issue shall be looked into by the Block Development Officer, if subsequent complaint is raised by the petitioner on the said ground .

Mr. Debabrata Saha Roy learned advocate appearing for the Upa-Pradhan submits that that petitioner was restrained from entering into the vicinity by the competent court granting bail to petitioner. However, Mr. Deb points out to the order of the Learned Sessions Judge South 24 Parganas, from which it would appear that the condition imposed upon the Pradhan while granting bail, that he would not enter into the vicinity of Basanti Block, was waived. The said order was passed by the Sessions Judge on April 20, 2021 and there after the order was passed by the District Magistrate upon the Block Development Officer to allow the petitioner to join his office.

Under such circumstances, this writ petition is disposed of, as the grievance of the writ petitioner has been addressed and nothing further remains to be decided. The court has not considered the rights and obligations of the parties.

This writ petition is disposed of.

There will be no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)