

Item No.18

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

28.06.2021
Ct-24

WPA 10652 of 2021
Nilufa Begam
v.
State of West Bengal & Ors.

Mr. Md. Manwar Ali
Ms. Sifa Sultana
... for the petitioner.

Mr. Pantu Deb Roy
Ms. Debdooti Dutta
... for the State.

Mr. Subhasish Pachhal
... for the respondent no. 6.

The petitioner seeks direction upon the Prescribed Authority for taking necessary steps against the private respondent no. 6 Jamaluddin Sk as he remained absent in three consecutive panchayat meetings.

The Pradhan of the Gram Panchayat by representation dated April 20, 2021 received by the office of the Block Development Officer, Domjur on June 1, 2021 prayed for necessary direction for removal of the absentee member. The petitioner alleges that the said

representation has not been considered by the Prescribed Authority till date.

The learned advocate representing the private respondent submits, upon instruction, that he was not present only in one meeting as he was not well. Thereafter the private respondent attended in all the meeting held by the Panchayat.

The learned advocate representing the State respondents submits, upon instruction, that the private respondent was absent in consecutive meetings.

As it appears that the Prescribed Authority is aware of the fact that the private respondent absented himself in consecutive meetings, accordingly, steps ought to have been taken pursuant to the representation filed by the Gram Panchayat through its Pradhan. The same has not been done.

In view of the above, the instant writ petition is disposed of by directing the Prescribed Authority being the Block Development Officer, Domjur to take necessary steps in response to the representation filed by the Pradhan of the Gram Panchayat received by the authority on June 1, 2021, strictly in accordance with law, at the earliest, but positively within a period of six weeks from the date of communication of a copy of this order.

The writ petition stands disposed of.

Affidavit-of-service filed in Court is taken on record.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)