

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 18274 of 2021

Smt. Abha Mahato
Vs.
The State of West Bengal & Ors.

Mr. Soumik Ganguli
Mr. Dilip Kumar Sadhu
Mr. Lalratan Mandal
Mr. Sayan Ray
... For the petitioner

Mr. Lalit Mohan Mahata
Mr. Kapil Guha
... For the State

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

The petitioner's elder sister, Latika Mahato, since deceased, was a Sangha Coordinator under Barabazar Development Block in the District of Purulia on being so selected. The selection of Latika Mahato, since deceased, was approved by the Block Development Officer, Barabazar Development Block (respondent no.6). After the death of Latika Mahato, the petitioner got married to her brother-in-law (husband of Latika Mahato) namely, Madan Chandra Mahato. The petitioner says that having the requisite qualification and being in the zone of consideration, the petitioner became a member of the said Self Help Group in place and stead of her elder sister, Latika Mahato. The petitioner further says that by an

unanimous resolution taken in the meeting held on 14th June, 2020 by the members of the said Self Help Group, namely, Tenlo Jangalmahal Mahila Samity, the petitioner was selected as Group Leader. The petitioner also says that to be engaged as Group Leader, the approval of the Block Development Officer, Barabazar Development Block, is required. The petitioner's husband Madan Chandra Mahato made a representation before the District Magistrate, Purulia (respondent no.4) and Block Development Officer, Barabazar Development Block (respondent no.6) to engage the petitioner on compassionate ground in place of stead of her deceased sister, Latika Mahato. The said representation, according to the petitioner, is pending.

After considering the materials on record and hearing the advocates for the respective parties, I think the matter can be disposed of by directing the District Magistrate, Purulia, to consider the representations dated 24th June, 2020 and 14th July, 2020 made by the petitioner in accordance with law and dispose of the same by a reasoned order within a period of eight weeks from date after affording the petitioner a reasonable opportunity of hearing, following the prevailing Covid-19 protocol. The reasoned order should be communicated to the petitioner immediately upon being passed.

It is made clear that I have not gone into the merits of the matter and the learned District Magistrate, Purulia,

shall be free to take an independent decision by considering the applicable legal provisions.

All parties, including the District Magistrate, Purulia, shall act on the basis of a server copy of this order without insisting upon production of a certified copy thereof.

Since the District Magistrate, Purulia, is represented by advocates, no further notice is required to be given to him.

Nothing further remains to be adjudicated in the writ petition and the same is accordingly disposed of without any order as to costs.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

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

(Arindam Mukherjee, J.)