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19.03.2021.
d.p.

**W.P.A. 18120 of 2019
IA No. CAN 1 of 2020
(Via Video Conference)**

**Gopal Krishna Dutta
-versus
State of West Bengal & Ors.**

**Mr. Kamlesh Jha,
Ms. Madhushri Dutta.
.... For the Petitioner.**

**Mr. Arjun Ray Mukherjee,
Mr. Gourav Das.
....For the State.**

The matter has appeared in the list at the instance of the petitioner.

Specific submission has been made by the petitioner that in the order dated 7th February, 2020 direction was passed upon the Director, Department of Panchayat & Rural Development to consider the representation made by the petitioner.

It has been submitted that the post of Director, Department of Panchayat & Rural Development has since ceased to exist and the Commissioner, Department of Panchayat & Rural Development is the appropriate authority to take a decision in the matter.

It has been submitted by the learned advocate appearing for the State respondents that the post of Commissioner, Department of Panchayat & Rural Development is vacant at present but the Commissioner-in-charge of the department may be

directed to consider the prayer of the petitioner in terms of the order passed by the Court.

In view of the above, the operative portion of the order dated 7th February, 2020 is modified herein below.

The petitioner is directed to make a composite representation along with all supporting documents in his favour before the Commissioner, Department of Panchayat & Rural Development.

In the event such a representation is made by the petitioner within a fortnight from date, the same shall be considered by the said respondent or the present in-charge of the said post, strictly in accordance with law, within a period of ten weeks from the date of making the representation.

The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

The observation and the discussion of the Court recorded in the order dated 7th February, 2020 remains unaltered.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)