

WPA 31082 of 2017

**Narayan Chandra Das & Ors.
Vs.
The State of West Bengal & Ors.
(Through Video Conference)**

Mr. Jaharlal De
Mr. Shamim-ul-Bari

... ... for the State

Mr. Jayanta Kumar Das
Mr. Gourav Das
Ms. Madhumanti Das

... ... for the respondent no. 4

No one is present for the petitioner, therefore, the record is perused.

In this petition an allegation has been made that a sum of ₹8,22,000/- (Rupees eight lakh twenty two thousand only) was sanctioned for construction of boundary wall of 370 meters length in the Deuli Kalasbarh Ramkrishna Vidyapith Police Station – Sabang, District – Paschim Medinipur but only 250 meters of boundary wall was constructed and rest of the amount was misappropriated by the respondent no. 4.

Learned counsel for the respondent no. 4 submits that the allegation is incorrect and the boundary wall has been constructed.

Having perused the record, we have noticed that the petitioners have already filed their representation dated 29.11.2017 in this regard before the respondent no. 3, the District Magistrate, Paschim Medinipur and a prayer has also been made in the petition seeking a direction to decide the said representation.

Since the matter involves factual controversy, therefore, we are of the opinion that the District Magistrate should look into the grievance of the petitioners.

Hence, the present writ petition is dispose of directing the respondent no. 3 to consider the representation of the petitioners dated 29.11.2017 and after conducting enquiry take a decision in accordance with law within a period of three months from the date of receive of certified copy of this order.

Learned counsel for the State is directed to communicate the copy of this order along with a copy of petition and representation to the respondent no. 3 without any delay.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)