

21.9.2022
Sl.No.57
sn

WPA 907 of 2022

Giasuddin Kazi
Vs.
The State of West Bengal & Ors.

Mr. Tarun Kumar Das
Mr. Dilip Kumar Shyamal
Mr. Koushik Banerjee
..for the petitioner
Mr. Suddhadev Adak
..for the State

Let the affidavit of service be taken on record.

The petitioner submits that he was wrongly engaged as a panchayat karmee at Dashpara Sumati Nagar-II Gram Panchayat. He submits that according to the rules and procedures, he ought to have been engaged in any Gram Panchayat under the Kulpi Block.

It appears that the petitioner has made a representation before the District Panchayat & Rural Development Officer, South 24 Parganas, i.e., the respondent no.5, with a prayer for transfer to any Gram Panchayat under the Kulpi Block. The said representation appears at Annexure P/6 at page 26 of the writ petition.

Without going into the correctness of the statements made by the petitioner, this writ petition is disposed of with a direction upon the District Panchayat & Rural Development Officer, South 24 Parganas to dispose of the representation of the petitioner, in accordance with law, upon hearing the

petitioner and also the authorities of the Dashpara Sumati Nagar-II Gram Panchayat. If the rules and procedures permit, the claim of the petitioner may be considered, in accordance with law. If the provision for transfer is not available under the law, necessary orders shall be passed to that effect and intimated to the petitioner.

The allegation of the petitioner is that the other persons who were similarly situated had been transferred on special grounds. Such contention shall also be considered at the hearing.

The petitioner shall be entitled to be represented by a learned advocate.

The entire exercise shall be completed within a period of three months from the date of communication of this order.

The petitioner is directed to serve a copy of this writ petition along with a server copy of this order upon the District Panchayat & Rural Development Officer, South 24 Parganas.

This writ petition is disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)