

21.9.2022
Sl.No.58
sn

WPA 911 of 2022

**Prodip Biswas
Vs.
The State of West Bengal & Ors.**

**Mr. Tarun Kumar Das
Mr. Dilip Kumar Shyamal
Mr. Koushik Banerjee
..for the petitioner
Mr. Raja Saha
Mr. Shamim Ul Bari
..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 Muriganga-I Gram Panchayat. He submits that according to the rules and procedures, he ought to have been engaged in any Gram Panchayat under the Hanskhali Block, District Nadia.

It appears that the petitioner has made a representation before the Commissioner of Panchayats & Rural Development Department with a prayer for being transferred to any Gram Panchayat under the Hanskhali Block, District Nadia. The said representation appears at Annexure P/5 at page 33 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 Commissioner of Panchayats & Rural Development Department to dispose of the representation of the

petitioner, in accordance with law, upon hearing the petitioner and also the authorities of the Muriganga-I 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 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 Commissioner of Panchayats & Rural Development Department.

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.)