

Item No. 72

02.08.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 1321 of 2022
Dhananjoy Bagdi

v.

The State of West Bengal & Ors.

Mr. Debasis Sur
Mr. Hare Krishna Halder
Mr. Himadri Sekhar Paul
Ms. Anindita Chatterjee
... for the petitioner.

Mr. Sudipto Panda
Mr. Munmun Tewary
... for the State respondents.

The petitioner's prayer for regularization of service as Gram Panchayat Sahayak has been rejected by the order of the Block Development Officer, Indus Development Block, Indus, Bankura dated December 16, 2021.

It appears that the Block Development Officer reconsidered the prayer of the petitioner for regularization in compliance of the direction passed by the Hon'ble Division Bench in FMA 3541 of 2013 with CAN 8846 of 2011.

The Block Development Officer has considered the matter in details and has refused the prayer of the petitioner on the ground that only certificates of the then Pradhan are not enough documents to prove that the

petitioner worked in the Sahaspur Gram Panchayat and is eligible for regularization as Sahayak.

It is the specific finding that no document has been found by which it can be established that the petitioner had attended the office of Sahaspur Gram Panchayat or received any remuneration from the office of the Gram Panchayat.

Learned advocate for the petitioner disputes the aforesaid contention. It has been submitted that the petitioner regularly attended the office of the Gram Panchayat.

The impugned order clearly mentions that the matter was duly enquired by the Block Development Officer. The Ex-Secretaries of the Gram Panchayat submitted written undertakings before the Block Development Officer that they did not know anything about the petitioner.

The present Secretary and the Present Pradhan of the Gram Panchayat also attended the hearing but failed to submit any document to show that the petitioner ever attended the Gram Panchayat or was paid from the fund of the Gram Panchayat.

Though, the petitioner denies the aforesaid contention, but the writ Court cannot go into the disputed questions of fact. There is nothing on record to suggest that the Block Development Officer did not

consider the prayer of the petitioner and did not consider the certificate issued by the Pradhan of the Gram Panchayat. There is no error apparent in the impugned order dated 16th December, 2021.

In view of the above, no relief can be granted to the petitioner in the instant writ petition.

The writ petition fails and is hereby dismissed.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)