

22.03.2022

Sl. No. 22

Court No.13

B.M.

WPA 1359 of 2022

Snigdha Mondal

Vs.

State of West Bengal & Ors.

(Via Video Conference)

Mr. Sabyasachi Chatterjee

Mr. Sandipan Das

Mr. Sayan Banerjee

Mr. Ankur Sharma ... for the petitioner

Mr. Kishor Dutta, Sr. Adv.

Mr. Pinaki Ranjan Chakraborty

... for the respondent no.19

Mr. Sk. Md. Galib

Mr. Subhra Nag ... for the State

The writ petitioner complains that the private respondent no.19, Kshama Mondal, who is the successful candidate for Ward No.62 of Asansol Municipal Corporation was not entitled to contest in election.

It is submitted that the constituency is reserved for Schedule Caste candidates and the respondent No. 19's Schedule Caste certificate has been obtained by fraud and misrepresentation.

In that view of the matter, the SDO shall, in terms of Schedule Castes & Schedule Tribes Identification Act, 1994 read with West Bengal Schedule Casts & Schedule Tribes Identification Rules, 1995 consider the petitioner's representation and dispose of the same by reasoned order

in accordance with law. The private respondent no.19 shall also be heard.

For the aforesaid purpose, the petitioner shall submit a fresh representation to the SDO, with a copy to the private respondent no.19 within a period of seven days from date. Upon receipt of the aforesaid complaint, the SDO shall in terms of procedure under the aforesaid Act and Rules, and as directed hereinabove, shall dispose of the same in accordance with law within a period of two months, mandatorily and positively.

With the aforesaid observations the writ petition is disposed of.

(Rajasekhar Mantha, J.)