

10.11.2022
Sl. No.2(DL)
srm

W.P.A. No. 974 of 2012

Gopal Chandra Mondal

Versus

**Executive Officer, Purba Medinipur
Zilla Parishad & Ors.**

Mr. Jahar Lal Roy

....for the Petitioner.

None appears on behalf of the respondents. As this Court is not inclined to go into the merits of the allegations made by the petitioner, but deems it fit to relegate the entire issue to the appropriate authority, the writ petition is disposed of in their absence.

The petitioner alleges that although the petitioner was successful at a selection process held sometime in 2011 for recruitment to the post of Sahayaks under the different gram panchayats within the district of Purba Medinipur, the appointment was not granted. The petitioner claims that in the final selection list, the name of the petitioner was at serial No.8. The petitioner was also called for a medical test. Yet, the appointment was not granted. The petitioner apprehends that the reason for withholding the appointment was the pendency of an investigation by the police under Sections 447, 323, 325 and 34 of the Indian

Penal Code. According to the petitioner, pendency of a criminal investigation could not have been a ground for not granting appointment to him. It is submitted that unless the petitioner was convicted for any offence, the respondents could not have prevented the petitioner from serving as a Sahayak, pursuant to his selection.

The writ petition does not indicate whether the reason for withholding the appointment of the petitioner was only the fact that the investigation was pending. However, as the petitioner had appeared in the selection process of 2011, the petitioner was entitled to know as to why the appointment letter was not issued. Considerable time has lapsed since then. The recruitment process must have reached its logical conclusion by now. The question of unsettling such a situation does not arise.

However, the reasons as to why the petitioner was not granted an appointment must be intimated to him.

The writ petition is disposed of with a direction upon the District Panchayats and Rural Development Officer, Purba Medinipur to treat the writ petition as the representation of the petitioner and dispose of the same in accordance with law. A reasoned order shall be passed and communicated to the petitioner.

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

This Court has not gone into the merits of the claims of the petitioner and the entire issue shall be decided by the concerned authority, independently.

All documents in support of the claim of the petitioner along with a copy of the writ petition and server copy of this order shall be forwarded to the authority concerned for necessary compliance.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)