

M/L 98
09.11.2022
Court. No. 19
GB

W.P.A. 1471 of 2019

Tapas Roy
VS
The State of West Bengal & Ors.

*Mr. Ramkrishna Bhattacharya,
Mr. K. Choudhury.*

...for the petitioner.

Affidavit-of-service filed in Court today, be kept with the record.

The writ petition is disposed of by directing the respondent no.6 to treat the writ petition as a representation and dispose of the same by passing a reasoned order. While doing so, the petitioner and the Pradhan of Birbandar Gram Panchayat shall be heard.

The reasoned order shall indicate as to whether the petitioner was engaged in accordance with law to serve as an Additional Gram Rojgar Sevak under the Mahatma Gandhi National Rural Employment Guaranteed Scheme. If it is found that the petitioner was so engaged, the reasoned order shall indicate whether the petitioner was continuing in the said post and also whether the petitioner was paid any remuneration. The reasoned order shall be communicated to the petitioner within a period of six weeks from date of communication of this order.

It is the contention of the petitioner that although the petitioner served in the said post, the remuneration to which he was entitled, had not been released by the authority.

It goes without saying that, in case it is found that the petitioner is entitled to the remuneration or part of the remuneration as claimed, then necessary disbursement shall be made in accordance with law by the appropriate authority within a period of further six weeks from the date of disposal of the matter by the Block Development Officer.

This order shall not be construed as an observation of the Court on the right and/or entitlement of the petitioner to the remuneration. All the issues and the allegations raised, shall be decided by the authority and appropriate steps shall be taken in this regard.

Accordingly, the writ petition is disposed.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)