

WPA (P) 106 of 2022

Elius Ali Middya & Ors.

Vs.

The Government of West Bengal & Ors.

Mr. Goutam Dey
Mr. Rajesh Naskar
Mr. Dipendu Sarkar

... for the petitioners

Mr. S.N.Mookherjee, AG
Mr. T.M.Siddiqui
Mr. D. Ghosh

... for the State

Mr. Sudeep Sanyal
Mr. Sukanta Das

... for the respondent nos. 15 to 17

In this writ petition the petitioners have made allegation in respect of misappropriation of fund by certain authorities/persons meant for the MGNREGS. In paragraph 17 of the writ petition as many as 31 such projects have been disclosed wherein the misappropriation was done.

The record reflects that the petitioners have filed the mass representation (Annexure P-5) but the details of allegation are not contained in the said representation.

The allegations which are made in the petition require factual inquiry which can more appropriately be done by the respondent no.6, District Magistrate, 24-Pargans (South).

Hence, we permit the petitioners to file an appropriate detailed representation along with a copy of the present writ petition and enclosures and on receipt of the same the respondent no.6 will duly look into the

allegations made by the petitioners and get the inquiry conducted, if required and in that process if he reaches to the conclusion that any defalcation of the amount meant for MGNREGS projects has been done by any authority/person, then he will take due action against the said authority/person in accordance with law and will also duly communicate to the petitioner no.1 the outcome of the petitioners' representation.

Let this exercise be completed within a period of three months from the date of receipt of the representation.

The writ petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)