

12 20.06.2022

gd/ssd

WPA(P)/116/2022
SARIFUDDIN SEKH & ORS.
VS
UNION OF INDIA AND ORS.

Mr. Pratip Kumar Chatterjee
..for the Petitioners

Mr. Samrat Sen,
Mr. Jahar Lal De,
Mr. Rudranil De

..for the State

Mr. Keshab Chandra Das,
Ms. Aparajita Mondal,
Mr. Biplab Adak

..for the Respondent No.18.

The allegation in this petition is in respect of the misappropriation of funds while implementing the project under the MGNREGA in Bero Gram Panchayat.

Submission of learned counsel for the petitioners is that the project works have not been done and payments have been withdrawn in the name of those persons who have died. In this petition there is an allegation of forged signatures/LTIs on the cheque and fake measurement for the purpose of illegally withdrawing the money and misappropriating the public money.

Submission of learned counsel for the petitioners is that as many as 23 complaints were made in this regard to the competent authority including the respondent no.4 i.e. District Magistrate, Purulia but no action has been taken.

Learned counsel for the State has informed that the enquiry has been initiated by the Block

Development Officer by forming four-member enquiry committee.

Disputing the same, the learned counsel for the petitioners has submitted that the committee has not even received the complaints.

In the aforesaid circumstances, we are of the opinion that the enquiry should be conducted under the supervision of the respondent no.4 i.e. District Magistrate, Purulia and the petitioners should be given an opportunity to produce all the relevant materials.

Hence, we dispose of the present petition by directing the respondent no.4 i.e. District Magistrate, Purulia to get the enquiry conducted under his supervision and in the course of the said enquiry an opportunity of hearing be given to the petitioners. If in the enquiry the allegations are found to be correct, then the respondent no.4 will take appropriate action against the persons responsible for misappropriation of funds.

Let this exercise be completed within a period of four months from the date of receipt of a copy of this order.

The petition is, accordingly, disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

