

30.03.2022
Court No. 19
Item no.09
CP

WPA 5391 of 2022

Samar Chandra Mahato
Vs.
The State of West Bengal & ors.

Mr. Arun Naskar
.....for the petitioner.

Mr. Lalit Mohan Mahata
Mr. Rudranil De
....for the State.

The petitioner claims to be an elected member of the Uparkahan Gram Panchayat, Purulia. The allegation is that the Pradhan has been issuing tenders without following the proper procedure. According to the petitioner, the panchayat manual has not been followed. Further allegations are that the other members of the samitis have not been consulted.

Although, the petitioner is not a member of any of the samitis, however as the petitioner is an elected member and has raised allegations against the functioning of the Pradhan in the matters of issuance of tender notices, the court is of the view that the petitioner must be given an opportunity to approach the Block Development Officer, Joypur Development Block, with his grievances.

The court has not decided the merits of the claim of the petitioner. The petitioner is entitled to

approach the concerned Block Development Officer by filing a representation. Such representation, if filed, shall be disposed of in accordance with law by the Block Development Officer, upon making an inquiry into the allegations made by the petitioner. While doing so, the petitioner, other members of the gram panchayat and the Pradhan shall be heard.

A reasoned decision shall be passed and communicated to all.

The entire exercise shall be completed within a period of three months from the date of receipt of the representation of the petitioner.

The writ petition is, thus, disposed of. There shall be no order as to costs.

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

(Shampa Sarkar, J.)