

June 6, 2022
Sl. No.31
Court No.1
s.biswas

WPA (P) 136 of 2022

Niranjana Sen
vs.
The State of West Bengal and others

Mr. Sattwik Bhattacharyya,
Mr. Subhasish Misra,
Mr. Aashutosh Bhattacharyya, Advocates
... for the petitioner
Mr. Jahar Lal De,
Ms. Smita Das Dey, Advocates
... for the State
Mr. Bhagbat Chauthuri,
Ms. Mousumi Arjit, Advocates
... for the respondent No.8
Ms. Rini Bhattacharyya, Advocate
... for the Union of India

The grievance raised in this petition is that under various schemes of Mahatma Gandhi National Rural Employment Guarantee Act, 2005, the respondent No.8 being the Pradhan of Gitaldah-II Gram Panchayat and her husband have misappropriated the fund and unjustly credited the amount in the job card bank account of the respondent No.8.

When the matter is taken up today, learned counsel for the petitioner has raised a limited submission that the petitioner has already filed a representation dated 11.01.2022 before the respondent No.4 [The District Magistrate, Cooch Behar (Panchayat & RD Section)] and the said representation has not been decided, therefore a direction be issued to the respondent No.4 to consider the petitioner's grievance and decide the representation.

Learned counsel for the State has no objection to such a prayer. Learned counsel for the respondent No.8 has disputed the allegation.

Having regard to the nature of allegation and controversy involved in the matter as also the prayer made at this stage, we dispose of the petition by directing the respondent No.4 to duly consider the grievance raised by the petitioner in the representation dated 11.01.2022 and decide the same after giving an opportunity of hearing to all the concerned parties and getting the inquiry conducted, if required.

Let this exercise be completed by the respondent No.4 within a period of 3 months from the date of receipt of the copy of this order.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

[Prakash Shrivastava, C.J.]

[Rajarshi Bharadwaj, J.]