

15.6.22
Ct.25,
sl.19,sk

W.P.A. 6763 of 2007

Mst. Nadira Begum Vs- State of West Bengal & Ors.

Md. Salahuddin
Md. Ashanuzzaman
Md. Raziuddin
.... For the petitioner.

Mr. Ritwik Pattanayak
...for the respondent no. 9.

Mr. Pinaki Dhole
Mr. Abishek Prasad
...For the State.

The petitioner made a complaint before the Block Development Officer, Sagardighi Block, P.O. Sagardighi, Dist.-Murshidabad alleging the respondent no. 9 was appointed to the post of ANM at Banyeshwar sub-Centre in spite of the fact that she was not a resident of the area falling within the jurisdiction of the concerned Sub-Center.

Record reveals that the petitioner and the private respondent no. 9 were directed to appear before the Block Development Officer on March 27, 2007 for a hearing in connection with the said complaint.

The grievance of the petitioner is that in spite of the fact that she attended the said hearing before the concerned Block Development Officer on the said date but the authority has not communicated its decision to the petitioner.

The matter was adjourned on several occasions to enable the learned advocate representing the State to

ascertain as to whether any decision was taken by the concerned Block Development Officer, pursuant to the hearing held on March 27, 2007.

In course of hearing of this writ petition, Mr. Dhole submits that there is nothing on record to indicate that a decision was taken by the concerned respondent authority being the Block Development Officer on the hearing that allegedly took place on March 27, 2007.

Since the concerned respondent authority has not taken a decision as yet on the complaint made by the petitioner, in my view, justice would be sub-served, if the respondent authority is directed to take a decision of the complaint made by the petitioner.

The respondent no. 6, being the Block Development Officer, Sagardighi Block is directed to consider the representation of the petitioner which is annexed at page 27(Annexure P-4) to the writ petition and to dispose of the same by passing a reasoned order after giving an opportunity of hearing to the petitioner and the respondent no. 9. Such decision is to be communicated to the parties immediately thereafter. The entire exercise is to be completed within a period of four weeks from the date of communication of this order.

The petitioner is directed to communicate this order along with a copy of the representation which is appearing at page 27 (Annexure P-4) to the writ petition.

With the above direction, the writ petition is disposed of.

There shall be no order as to costs.

(Hiranmay Bhattacharyya, J.)