

S/L 8
17.05.2022
Court. No. 19
GB

WPA 8840 of 2022

Mrs. Keka Gayen
VS
The State of West Bengal & Ors.

*Mr. Tanmoy Mukherjee,
Mr. Kajal Ray,
Mr. Souvik Das,
Mr. Rudranil Das.*

...for the Petitioner.

Affidavit-of-service filed in Court today, be kept with the record.

Despite service, none appears on behalf of the respondents.

Leave is granted to petitioner to add the Additional District Magistrate (Panchayat and Rural Development), Hooghly as a respondent here and now.

The petitioner is aggrieved by a communication issued by the District Panchayat and Rural Development Officer, Hooghly dated April 27, 2022 to the Block Development Officer , Polba-Dadpur Development Block, asking the authority to call a meeting, so that the charge of the office of the Pradhan may be handed over to the Upa-Pradhan in view of the continuous absence from the office of the Akna Gram Panchayat. Such communication was made on the basis of a purported enquiry, which revealed that several officials had intimated the District Panchayat and Rural Development Officer, Hooghly that the panchayat Pradhan was not attending office regularly, as a result of which, public interest was suffering.

It also appears from the letter that the Pradhan had failed to discharge her duties and attend meetings with regard to the developmental works as also other policy matters. The said letter was issued in concurrence with the Additional District Magistrate (Panchayat and Rural Development), Hooghly.

On the basis of such communication, a meeting had been scheduled on May 13, 2022. It is alleged that the meeting was not held on the ground that the Block Development Officer was not present.

Mr. Mukherjee, learned advocate vehemently urges the Court to peruse the letters written by the Pradhan and other members supporting the Pradhan to the effect that the concerned Upa-Pradhan was preventing the Pradhan from attending office and from discharging her duties. It also appears that the Pradhan had prayed for police assistance so that she could attend her office without fear.

In view of the contrary stands of the parties, this Court is of the opinion that the allegations and counter-allegations of the petitioner, other members and the Upa-Pradhan as also the District Panchayat and Rural Development Officer, Hooghly, must be decided by the Additional District Magistrate (Panchayat and Rural Development), Hooghly. The situation must be tackled and normalcy must be restored in the panchayat office. The panchayat office must function properly, without further disruption, disturbance and disobedience to the statute. The Court is also not in a position to verify the contentions of the petitioner and that is

why, it is best left to a superior authority empowered with administrative powers to decide the issue and settle the matter in accordance with law.

Under such circumstances, the writ petition is disposed of with a direction upon the Additional District Magistrate (Panchayat and Rural Development), Hooghly to consider the petitioner's representation and hear out the petitioner, other members as also the Upa-Pradhan within a period of three days from the date of communication of this order.

As it is the specific contention of the petitioner that the next meeting has not yet been scheduled and no such date has been notified, the meeting shall not be held until and unless the direction of this Court is complied with. A reasoned order shall be passed and communicated to all the parties.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the learned advocate's communication, as also server copy of this order.

(Shampa Sarkar, J.)