

Item No. 9

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

17.03.2022
Ct-24

WPA 10721 of 2021
Khajura 2 No. Swanirbhar Dal (Self Help Group) & Anr.
v.
The State of West Bengal & Ors.

Mr. Suvro Prokash Lahiri
... for the petitioners.

Ms. Chaitali Bhattacharya
Mr. Subhendu Roychoudhury
... for the State respondents.

The petitioner no. 1 is a self-help group and the petitioner no. 2 is the Secretary/Dalanetri (Group Leader) of the petitioner no. 1.

According to the petitioners they were engaged in the work of cooking the mid-day meal in Khajura Primary School. They were performing their service since 2004.

It has been submitted that some other groups are obstructing the petitioners in cooking of the mid-day meal.

The petitioners raised objection before the respondent authorities and a decision has been taken that the self-help group, who was cooking mid-day meal, will continue.

According to the petitioners they are the self-help group, who was cooking mid-day meal on the day the same stood stopped and obstructed by the other self-help group.

According to the respondents there is a dispute as to who was continuing with the cooking of the mid-day meal.

As it appears that there is a dispute with regard to the self-help group who was cooking the Mid-Day Meal, accordingly, the matter is referred to the Block Development Officer to conduct an enquiry and to come to a decision as to which self-help group was cooking the mid-day meal in respect of Khajura Primary School.

The Block Development Officer shall afford an opportunity of hearing to the petitioners and all other necessary parties to produce documents in support of the claim with regard to cooking of the Mid-Day Meal.

In that event, the Block Development Officer comes to an opinion that the petitioners were the self-help group engaged in the cooking of the Mid-Day Meal of the school, then the Block Development Officer shall ensure that the petitioners are permitted to continue with the cooking of the mid-day meal in the said school without any disturbance/obstruction/ interference from any other group.

A decision shall be taken in the matter by the Block Development Officer at the earliest, but positively within a period of six weeks from the date of communication of a copy of this order. If required, the Block Development Officer may take the help of the local police for ensuring that there is no breach of peace and tranquility in the locale.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)