

Item No. 10

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

17.03.2022
Ct-24

WPA 10807 of 2021
Singhabahini Mohila Swanirvar Samiti (Self Help Group)
& Anr.

v.
The State of West Bengal & Ors.

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

Mr. Swapan Kumar Dutta
Ms. Soumi Guhathakurata
... for the State respondents.

The petitioner no. 1 is a self-help group and the petitioner no. 2 is the Saha-Dalanetri/Assistant Group Leader of the petitioner no. 1.

The petitioners were engaged in the cooking of the Mid-Day Meal Scheme in Ichag Girls' Primary School.

According to the petitioners, they are engaged in cooking under the Mid-Day Meal Scheme since 2004 but they were obstructed and restrained by other self-help groups from performing their work.

The petitioners approached this Court on an earlier occasion by filing WP 25417(W) of 2018, which stood disposed of by order dated January 11, 2019 by directing the petitioners to submit a comprehensive representation ventilating their grievances before the

appropriate authority in terms of the existing law. The concerned authority was directed to take a decision within a specified period of time.

Though, no specific order has been passed in this matter by the concerned authority, but the District Magistrate has taken a general decision in respect of all Mid-Day Meal Schemes that the old self-help groups who were engaged in the mid-day meal cooking will continue. The District Magistrate has already taken a decision and the same is applicable throughout the entire district.

The Block Development Officer is directed to enquire as to whether the petitioners were performing the cooking under Mid-Day Meal Scheme in the said school and if upon enquiry it transpires that the petitioners were really the group who were engaged in the cooking of the mid-day meal of the school in question, then the Block Development Officer shall permit the petitioners to continue with the cooking.

The Block Development Officer shall give an opportunity of hearing to the petitioners and all other necessary parties to take a decision in the matter. Decision shall be taken at the earliest but positively within a period of six weeks from the date of communication of a copy of this order.

The petitioners shall be entitled to rely upon all the documents in support of their claim. If required, the

Block Development Officer shall take necessary assistance 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.)