

S/L 17
8.3.2022
Court. No. 19
sn

WPA 11576 of 2021

Sambhu Nath
Vs.
The State of West Bengal & Ors.

(Through Video Conference)

Mr. Dipankar Pal

...for the Petitioner.

Mr. Biswajit De

Mr. Mrinal Kanti Biswas

..for the State

The petitioner claims to have functioned as a “Tax Collector” of Jirat Gram Panchayat, District Hooghly. The petitioner is a member of Other Backward Class and falls under the OBC-B category. The petitioner relies upon an order issued by the Block Development Officer and Executive Officer, Balagarh Panchayat Samity dated January 28, 2022 and prays that his candidature may be considered for the vacancy to the post of Gram Panchayat Karmee under the OBC-B category. The order of the Block Development Officer and Executive Officer has been handed over to the Court and the same is kept on record.

Mr. De, learned advocate for the State respondents submits that there is nothing on record to show that the petitioner appeared at any selection process. He submits that the petitioner may be over aged. He further submits that the selection has to be

made on the basis of the order, under the supervision of the District Level Selection Committee. There is nothing on record to show that such process had been initiated. He urges that as the petitioner was engaged on commission basis, his tenure under the Gram Panchayat cannot be considered as a service in the post of Tax Collector of the said Gram Panchayat , and the order dated January 28, 2022 would not be applicable in his case.

The petitioner filed a representation before the District Panchayat & Rural Development Officer, Chinsurah, Hooghlym, which is at page 21 of the writ petition. The same must be disposed of and the petitioner should be intimated about his eligibility of being considered in terms of the order dated January 28, 2022 issued by the Block Development Officer and Executive Officer.

The concerned Block Development Officer shall pass a reasoned order indicating whether the petitioner who was engaged as a Tax Collector of Jirat Gram Panchayat on commission basis, could apply for the post of Gram Panchayat Karmee as per the order dated January 28, 2022 and whether his candidature would be accepted for the same. If the post has already been filled up, the petitioner shall also be intimated of the same.

The entire exercise shall be completed within a period of six weeks from the date of communication of this order.

This writ petition is disposed of.

There will be however no order as to costs.

All parties are to act on the server copy of this order.

(Shampa Sarkar, J.)