

Sl. No.3
02.08.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 13027 of 2022

Samar Chandra Mahato
Versus
The State of West Bengal & Ors.

Mr. Arun Naskar
Mrs. Sandhya Das Adhikari
Mr. Girish Gupta
... for the petitioner
Mr. Lalit Mohan Mahata
Mr. Rudranil De
... for the State
Mr. Md. Sarwar Jahan
Mr. Lalratan Mondal
Mr. Dilip Kumar Sadhu
... for the respondent no.8

The petitioner, claiming to be an elected member of Uparkahan Gram Panchayat, Purulia, filed a writ petition before this Court being WPA 5391 of 2022 alleging that the Pradhan issued tender notice violating the proper procedure.

The Court disposed of the writ petition on 30th March, 2022 by granting leave to the petitioner to approach the concerned Block Development Officer by filing a representation. The Court directed that in the event such representation is filed, the same shall be disposed of by the Block Development Officer in accordance with law upon making enquiry into the allegation made by the petitioner and after giving an

opportunity of hearing to the necessary parties. A reasoned order was to be passed and communicated to all.

Learned advocate for the petitioner submits that a hearing notice was issued by the Block Development Officer but thereafter final order has not been passed.

Learned advocate representing the State respondents has taken specific instruction from the Block Development Officer and has produced before this Court the order dated 25th May, 2022 which was passed by the Block Development Officer, Joypur Development Block in compliance of the order passed by this Court after hearing submissions made on behalf of all the parties.

An enquiry was conducted prior to the final order to be passed by the Block Development Officer. The order of the Block Development Officer was duly communicated to the petitioner through Speed Post on 30th July, 2022.

The petitioner filed the instant writ petition on 29th June, 2022 alleging that the Block Development Officer did not take steps pursuant to the order passed by this Court.

Learned advocate representing the Pradhan of the Gram Panchayat submits, upon instruction that, work order has already been issued in favour of the

successful tenderer and the work that has been put to tender is nearing completion.

Learned advocate for the Prodhan submits that time limit as required to be maintained at the time of publishing the tender notice has been strictly followed.

The tender notice was published in the local newspaper 'Duronto Barta', in the Gram Panchayat office, local Post Office, office of the Block Development Officer, Joypur. The Block Development Officer, the Panchayat Development Officer and the Joint Engineer of the Joypur Development Block has mentioned in the enquiry report that there is no discrepancy in implementation of the notice inviting tender.

In view of the above, no relief can be granted to the petitioner in the instant case. The writ petition fails and is hereby dismissed.

Instructions given by the Block Development Officer, Joypur Development Block be retained with the records.

Affidavit of service filed in court is taken on record.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)