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gd/ssd

WPA(P) 247 OF 2021

TASLIM PIYADA AND ORS.
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Pankaj Halder,
Mr. Sanatan Panja,
Mr. Tapas Manna
..for the Petitioners

Mr. Jahar Lal Dey,
Mr. Abdus Salam
..for the State

This petition is at the instance of the social worker wherein the allegations have been made about misappropriation of funds allotted for various activities in Abad Bhagabanpur Gram Panchayat. Paragraph 2 of the petition discloses the details of defalcation in respect of the work of development of land of Harindanga F.P. School, fund sanctioned for re-excavation of existing pond of Harindanga F.P. School, construction of Rest Shed, sinking of unused tube well, excavation of farmer pond, construct of 12 Cattle Shelter, Poultry Shelter, School Building Anganwadi Centres etc. The allegation is that the huge public money has been misappropriated by the employees of the authorities of the concerned Gram Panchayat.

The report in the form of affidavit on behalf of the respondent no.5 has been filed today but we are not satisfied with that report.

Learned counsel for the petitioners has drawn the attention of this court to the representation dated 03.09.2021 submitted before the respondent no.5/District Magistrate, South 24-Parganas and has made a prayer that the respondent no.5 should conduct an enquiry in the presence of the petitioners and take action against the person responsible for defalcation.

The submission of counsel for the State is that though the enquiry can be conducted by respondent no.5, but it can be through the competent subordinate officer.

In the circumstances, we dispose of the present writ petition directing the respondent no.5 to consider the allegations made by the petitioners in the representation dated 03.09.2021 and get an enquiry conducted through his subordinate officer by giving an opportunity to the petitioners and any other concerned affected party to place on record all the relevant materials. In case during the enquiry the respondent no.5 finds that any defalcation has been done, then prompt action against erring officers will be taken in accordance with law.

Let this exercise be completed within a period of

two months from the date of receipt of a copy of this order.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

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