

December 13, 2022
Sl. No.60
Court No.1
s.biswas

WPA (P) 255 of 2021
Majit Ali Shah and another
vs.
The State of West Bengal and others

Mr. Samrat Sen, Sr. Adv.
Mr. Anirban Roy, Id. GP
Mr. Nilotpal Chatterjee, Advocate

... for the State

No one is present for the petitioners. Petitioners are not appearing since last two dates, therefore the record of the PIL has been examined.

In this public interest petition the petitioners have raised an issue of misappropriation of funds in the Mathurapur-I Block, South 24 Parganas in respect of implementation of various schemes which are disclosed in paragraph 2 of the writ petition. A report has been filed on behalf of the respondent No.8. A perusal thereof reveals that the said report in the form of affidavit is based upon the report of the Pradhan, Abed Bhagabanpur Gram Panchayat. Hence, having regard to the nature of allegation the said report cannot be treated to be conclusive. Record reflects that a mass representation dated 3rd September, 2021 has already been filed before the respondent No.5 (District Magistrate, South 24 Parganas). The nature of allegation made in the petition and the representation require factual enquiry.

Hence, we dispose of the present petition directing the respondent No.5 to duly consider the petitioners' representation dated 3rd September, 2021 in accordance with law as expeditiously as possible preferably within a period of 3 months from the date of receipt of the copy of this order.

Learned counsel for the State is directed to submit a copy of this order along with the representation dated 03.09.2021 to the respondent No.5 (District Magistrate, South 24 Parganas) without any delay.

Petition is disposed of accordingly.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)