

S/L 55
14.09.2022
Court. No. 19
GB

W.P.A. 16030 of 2021

Sayantan Pal
VS
The State of West Bengal & Ors.

Mr. Manoranjan Jana.

...for the Petitioner.

*Mr. Pinaki Dhole,
Mr. Avishek Prasad.*

...for the State.

*Mr. Bharat Ch. Simai,
Mr. Soumen Bose.*

...for the Respondent No.7.

Mr. Chandi Charan Roy.

...for the Respondent No.8.

Affidavit-of-service filed in Court today, be kept with the record.

There appears to be serious allegation against the petitioner and the earlier Pradhan of the Kusumpur Gram Panchayat.

The petitioner claims appointment on the basis of a communication allegedly made by the Joint Secretary, Panchayats and Rural Development Department, Government of West Bengal, dated September 5, 2018. According to the petitioner, the government was willing to allow the petitioner to join as a part time homeopathic doctor. The allegation is that the Pradhan of the Kusumpur Gram Panchayat has been withholding the issuance of the appointment letter, despite the direction of the Government of West Bengal. The letter written by the earlier Pradhan to the new Pradhan, indicating that the resolution had been adopted for appointment of the petitioner, is taken on record.

The learned advocate for the Gram Panchayat submits on instruction that the resolution dated November 23, 2017, on the basis of which the appointment of the petitioner had been permitted by the gram panchayat, was manufactured. The same was not found in the records of the office of Gram Panchayat. It is also submitted that the writ petition has been filed after four years from the date of the alleged resolution, seeking appointment on the basis of forged and fabricated documents.

The learned advocate for the earlier Pradhan submits that such resolution was adopted and forwarded to all concerned.

As there are allegations of forgery, fabrication of documents and irregularity, the prayer of the petitioner cannot be allowed. The Court deems it fit to direct the Joint Secretary, Panchayat and Rural Development Department, Government of West Bengal to take a decision on this issue upon hearing the petitioner, Mr. Subrata Dey, the earlier Pradhan, the present Pradhan and also the Additional Executive Officer, Paschim Medinipur Zilla Parishad, in this regard. A reasoned order shall be passed and communicated to all concerned.

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

A copy of the writ petition along with a server copy of this order be served upon the concerned authority.

This Court has not gone into the merits of the claims and counter-claims of the parties. All the issues shall be

decided by the concerned authority, independently and on the basis of the records and documents to be submitted by the respective parties.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)