

August 30, 2022
Sl. No.19
Court No.1
s.biswas

WPA (P) 311 of 2022
Md Sekhil Hossain and another
vs.
The Union of India and others

Mr. Sudipta Dasgupta,
Mr. Sutirtha Nayek, Advocates
... for the petitioners
Mr. Brajesh Jha, Advocate
... for the Union of India
Mr. Jahar Lal De,
Mr. Supratim Dhar, Advocates
... for the State
Ms. Sahili Dey, Advocate
... for the respondent Nos.10 - 17

The allegation in the present public interest petition is that while implementing different works under Mahatma Gandhi National Rural Employment Scheme at Kushida Gram Panchayat under Harishchandrapur-I Development Block in district Malda, series of embezzlement of funds have been made.

Learned counsel for the petitioners referring to the documents enclosed with the petition has submitted that for the same work different work orders were issued and that payments have been made without the work being done and even the work order has been issued without issuing tender. The record reflects that the petitioners have already preferred a detailed representation dated 21.04.2022 before the respondent No.6 (The District Magistrate, Malda).

Learned counsel for the State has also submitted that there is no objection in deciding the petitioners' representation.

Hence, we dispose of the present petition by directing the respondent No.6 to duly consider the grievances raised by the petitioners in the representation dated 21.04.2022. If the need arises, the respondent No.6 will also get an enquiry conducted to ascertain the correct position and the respondent No.6 will give an opportunity of hearing to the petitioners and all the concerned parties and take appropriate decision in accordance with law. If the allegation made by the petitioners is found to be correct, then respondent No.6 will also ensure that due action is taken against the erring authorities.

The present 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.]