

26 30.08.2022

gd/ssd

WPA(P)/343/2022

KANCHAN MAJUMDAR
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Gangadhar Das,
Mr. Tanmoy Chattopadhyay ..for the Petitioner.

Mr. Amitesh Banerjee,
Ms. Ipsita Banerjee ..for the State.

In this public interest petition the allegation of the petitioner is in respect of siphoning, misappropriation and embezzlement of the funds meant for eligible beneficiaries under the Rupashree Prakash Scheme.

The submission of the learned counsel for the petitioner is that several ineligible persons have been extended the benefit resulting into the misappropriation of the funds. It is also the submission of the learned counsel for the petitioner that though the information in this regard was sought under the RTI Act, but the same has not supplied.

Record reflects that the petitioner has filed a detailed representation dated 20th June, 2022 before the respondent no.5 i.e. District Magistrate, Malda and the said representation has not been decided till now.

Learned counsel for the petitioner has also

produced the communication dated 25.07.2022 sent by the Deputy Secretary to the Government of West Bengal along with a copy of the present writ petition to the respondent no.5 for necessary action.

Hence, the issue is now required to be looked into by the respondent no.5.

So far as the grievance relating to non-supply of information under the RTI Act is concerned, learned counsel for the petitioner has fairly stated that after filing of the present PIL, the petitioner has filed the second appeal under the RTI Act, which is pending.

Hence, the grievance in this regard is expected to be considered in the pending second appeal.

In the aforesaid circumstances of the case, we dispose of the present public interest petition by directing the respondent no.5 to duly consider the petitioner's representation dated 20th June, 2022 and to conduct an enquiry to ascertain the correctness of the allegation. The respondent no.5 is also directed to give an opportunity of hearing to the petitioner and all other concerned parties and it will also be open to the petitioner to file the additional material and appropriate application before the respondent no.5, if he so desires.

Let the aforesaid exercise be completed by the respondent no.5 within a period three months from the date of receipt of this order.

The petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

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