

S/L 28
20.09.2022
Court. No. 19
GB

W.P.A. 19425 of 2021

Joynal
VS
The State of West Bengal & Ors.

Mr. Ajay Debnath.

...for the Petitioner.

*Mr. Jahar Lal De,
Mr. Abdus Salam.*

...for the State.

The petitioner has alleged that the excavation of a farm pond on his land, which was sanctioned under the Mahatma Gandhi National Rural Employment Guarantee Act, 2005, was not done. However, the money was utilized illegally by the panchayat authorities. The allegation is that, the funds were misappropriated by the Pradhan of the Rosokhowa No.2 Gram Panchayat. The petitioner through his learned advocate has approached different authorities, with the allegations of embezzlement of funds which were received from the Central Government.

The writ petition is disposed of with a direction upon the District Magistrate, Uttar Dinajpur to consider and dispose of the demand of justice dated September 14, 2021, upon hearing the petitioner, the Pradhan of the Rosokhowa No.2 Gram Panchayat as also the Block Development Officer. A reasoned order shall be passed and communicated to all concerned. An enquiry shall be made on the basis of the representation of the petitioner. If the enquiry reveals that the allegations of the petitioner are correct, then legal steps shall be taken by the District Magistrate. While disposing of

the issue, the District Magistrate shall satisfy himself about the identity of the petitioner and identification of the farm land, which was to be excavated under the Mahatma Gandhi National Rural Employment Guarantee Act, 2005. If the allegations are found to be incorrect, the same shall be reflected in the order.

This Court has not decided the issue on merits. As no affidavits have been called for, the allegation against the respondents are deemed to be denied.

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.)