

August 30, 2022
Item No. 13
Court No.1
PA(RB)

WPA (P) 396 of 2022

Mejidur Rahman and Anr.

vs.

The State of West Bengal and Ors.

Mr. Sajal Kanti Bhattacharyya

... for the petitioner

Mr. Samrat Sen, Id. AAAG

Mr. Nilotpal Chatterjee

Ms. Amrita Panja, Advocates

... for the State

The grievance raised in this public interest petition is that respondent no. 9 is the son of Upa-Prodhan but he has participated in the tender process of Bairhatta Gram Panchayat and all the work orders have been issued to him in violation of the Panchayat laws. In the writ petition, the details of the work order issued to the respondent no. 9 have been disclosed.

Learned counsel for the petitioners has submitted that in terms of Rule 17(4)(c) of the West Bengal Panchayat (Gram Panchayat Accounts, Audit and Budget) Rules, 2007, the number of employee of a Gram Panchayat is not permitted to participate in the bidding process or execution of work as a contractor or sub-contractor, directly or indirectly.

The record reflects that the petitioners have already submitted representation dated 2nd of June, 2022 raising the above grievance before the respondent no. 5. Learned

counsel for the State has also submitted that there is no objection in considering the petitioner's representation.

Hence, we dispose of the present writ petition directing the respondent no. 5 to duly consider the petitioners' representation dated 2nd of June, 2022 and take necessary action in accordance with law after giving an opportunity to all the concerned parties.

Let this exercise be completed within a period of 3 months from the date of receipt of a copy of this order.

[Prakash Shrivastava, C.J.]

[Rajarshi Bharadwaj, J.]