

02.09.2022
Court No. 19
Item no.14
CP

W.P.A. No. 19695 of 2022

Md. Jiaul Haque

Vs.

The State of West Bengal & Ors.

Mr. Sumit Roy

Mr. Ashok Kumar Jha

Ms. Moumita Mondal

...for the petitioner.

Mr. Lalit Mohan Mahata

Mr. Prasanta Behari Mahata

....for the State.

The grievance of the petitioner in the writ petition does not survive. The petitioner has prayed for cancellation of NIT No. E1/GGP/2022-23 dated July 18, 2022, issued vide memo no. 196/GGP/2022 dated July 18, 2022 of Gangaprasad Gram Panchayat. The tender notice has been cancelled.

It appears that by a letter dated August 10, 2022, the Block Development Officer, Kaliachak-II Development Block, Malda, directed that the impugned tender notice must be cancelled. Further directions had also been issued upon the concerned Pradhan. The relevant portion of the said letter is quoted below:

“Sub: Cancellation of NIT No. E1/GGP/2022-23, issued vide Memo No. 196/GGP/2022 Dated 18/07/2022 of Gangaprasad G.P. – Regarding.

With reference to subject mentioned NIT issued from your Gram Panchayat, I am directed to instruct you to cancel all the 15th FC NIT as mentioned above subject to be cancelled as directed from the District Planning section.

It is further directed that all 15th FC untied fund should be utilised in construction of rural roads only. Hence you are directed to cancel the above mentioned NIT and submit supplementary proposal for rural roads for district approval. Till such approval no such works of 15th FC untied fund is allowed to start as directed by District Magistrate, Malda.”

Under such circumstances, nothing survives for a decision in the writ petition.

The Pradhan, Gangaprasad Gram Panchayat shall act on the basis of the directions of the Block Development Officer. The Block Development Officer shall ensure that the directions in the letter dated August 10, 2022 bearing Memo No. 2239/K-II are complied with by the Pradhan, Gangaprasad Gram Panchayat.

It is made clear that public money cannot be wasted and misutilized. The villagers should not suffer.

Accordingly, the writ petition is dispose of. There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)