

Court No. 24
02.02.2022
(Item No. 47)
(AB)

W.P.A. 20686 of 2021
(via video conference)

Nurefa Khatun
VS
The State of West Bengal & Ors.

Mr. Sumit Ray
Mr. Sailen Naskar
..... for the petitioner
Mr. Amitesh Banerjee
Mr. Tarak Karan
..... for the State
Mr. Munjel Alam
Mr. Md. Habibur Rahman
... for respondent No. 5
Mr. Md. Sarwar Jahan
Ms. Mousumi Mitra
..... for respondent No. 2

The grievance of the petitioner is that the direction passed by this Court on 4th March, 2016 in W.P. No. 19101 (W) of 2015 (Husnara Khatun & Anr. Vs. The State of West Bengal & Ors.) has not been acted upon by the concerned respondents till date.

By the order dated 4th March, 2016 the Court was of the opinion that the impugned order dated 27th July, 2015 needs to be revisited by the respondent No. 3. The Court directed the respondent No. 3 to consider the petitioners' claim afresh upon granting an opportunity of hearing to the petitioners and the respondent Nos. 7 and 8 and other interested parties, if any, and to pass a reasoned order in accordance with law and to communicate the same to the petitioners.

The respondent No. 3 in the earlier writ petition was the District Nodal Officer (S.S.K./ M.S.K. Cell), Uttar Dinajpur Zilla Parishad. The petitioner submits that the

matter has not yet been considered by the aforesaid respondent till date and hearing has also not been conducted by the said respondent. The petitioner filed a further representation in September, 2016.

None appears on behalf of the District Nodal Officer.

Learned advocate representing the State respondent submits that he does not have any instruction to appear on behalf of the Nodal Officer.

Learned advocate representing the Mission Director submits that Panchayet and Rural Development Department issued a communication in December, 2012 intimating the Zilla Parishad that no engagement by Managing Committee or Recruitment Committee will be made at this stage.

As it appears that the Court decided the matter way back in 2016 and directed the District Nodal Officer to revisit the issue, it is the incumbent duty of the said respondent to comply the direction passed by the Court.

In view of the above, the instant writ petition is disposed of by directing the respondent No. 3 to act in strict compliance of the direction passed by the Court in the order dated 4th March, 2016 at the earliest but positively within a period of eight weeks from the date of communication of this order.

The aforesaid respondent shall pass a reasoned order and communicate the same to the parties immediately thereafter.

The writ petition stands disposed of.

The affidavit of service filed in Court is taken on record.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

(Amrita Sinha, J.)