

WPA(P) 354 of 2021

**Md. Rafik @ Ali & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Sujoy Sarkar
Mr. Musharraf Alam Sk.

... .. for the petitioners

Mr. Jahar Lal De
Mr. Amrita Lal Chatterjee

... .. for the State

Mr. Sandip Kumar Bhattacharyya
Mr. Suman Basu

... .. for the respondent no.11

Affidavit of service filed by the petitioners is taken on record.

The petitioners have raised the grievance that there are lapses in the implementation of NREGS by the Secretary and other office bearers of the gram panchayet and that the amount which has been sanctioned for the scheme has been misappropriated and the petitioners' request to supply the requisite documents and particulars have not been acceded to.

In the aforesaid background, a prayer has been made to issue direction to the respondents to take appropriate steps against the Pradhan and the Secretary of the gram panchayet.

Learned counsel for the State has fairly submitted that the issue raised by the petitioners can be duly looked into by the respondent no.3, District Magistrate, Malda.

The issue which the petitioners are raising needs a factual enquiry. Hence, we dispose of the present petition permitting the petitioners to file an appropriate comprehensive representation along with all the supporting material before the respondent no.3. On receipt of the said representation, the respondent no.3 will conduct an enquiry to ascertain the correctness of the allegation made in the representation and if the same are found to be true in the course of enquiry, then appropriate action against the defaulting person will be taken in accordance with law.

Let this exercise be completed by the respondent no.3 within a period of three months from the date of receipt of the representation.

The writ petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)