

09.03.2022
Court No. 19
Item no.18
CP

WPA 21265 of 2021

Abbas Beg & ors.
Vs.
The State of West Bengal & Ors.

Mr. Anup Dasgupta
Mr. Somnath Bhattacharjee
Ms. Sharmistha Paul

....for the petitioners.

Mr. Jahar Lal De
Mr. Supratim Dhar

....for the State.

Affidavit of service is taken on record.

Despite service, none appears on behalf of the
Pradhan, Daudpur No. 8 Gram Panchayat.

The petitioners are some of the elected members of Daudpur No. 8 Gram Panchayat. The allegations are against the Pradhan. The petitioners allege that despite several complaints having been lodged with the Block Development Officer as also the District Magistrate, District – Purba Medinipur, no steps have been taken by the authorities to enquire into the serious allegations which have been levelled against the Pradhan. The allegations are as follows:

- a) The Pradhan continues to hold an ‘office of profit’ under the Tamluk Ghatal Cooperative Bank, Nandigram Branch.

- b) The money sanctioned for installation of submersible pumps was misappropriated, although a board has been affixed to show that such work had been completed.
- c) Several trees had been cut down and sold and the money had been deposited in the personal account of the Pradhan.

The petitioner prays that a direction be passed upon the concerned District Magistrate, to enquire into the matter and take appropriate steps, as per law.

Mr. De, learned senior government advocate appearing on behalf of the State, submits that the Block Development Officer, Nandigram – I Development Block, by a communication dated November 17, 2021 had already directed the Pradhan of Daudpur No. 8 Gram Panchayat to submit a written version by dealing with the allegations made by the petitioners. As proceedings have been initiated by the Block Development Officer, the same must be directed to be concluded expeditiously.

Having considered the rival contentions of the parties, this court is of the opinion that the proceeding initiated by the Block Development Officer, shall be disposed of in accordance with law upon hearing the Pradhan, the members who have lodged the complaint against the Pradhan and all

other interested parties whose statements may be necessary for complete adjudication of the issues.

It is made clear that the objections filed by the petitioners shall also be supplied to the Pradhan. The parties shall be entitled to file their respective documents written versions and adduce oral evidence in support of their claims.

This court has not gone into the merits of the claims of the parties.

Upon conclusion of the proceedings, a reasoned order shall be passed and communicated to all.

Needless to mention that if the Block Development Officer comes to the conclusion that the allegations are prima facie correct, then steps shall be taken as per law against the Pradhan.

The entire exercise shall be completed within a period of four months from the date of communication of this order. This court has not gone into the merits of the claims of the petitioner. The Block Development Officer will proceed independently.

The writ petition is, thus, disposed of. There shall be no order as to costs.

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

(Shampa Sarkar, J.)