

WPA(P) 459 of 2022

**Anowar Ali & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Sarwar Jahan
Mr. Ashraful Huq
Mr. S.N. Thander

... .. for the petitioners

Mr. Amitesh Banerjee, Sr. Adv.
Mr. Suddhadev Adak

... .. for the State

Mr. Kumarjyoti Tewari
Mr. Aniruddha Tewari

... .. for the respondent nos.9, 10 & 12

In this public interest petition members of the Panchayat have raised a grievance about the misappropriation of the Panchayat fund by the respondent no.10, Pradhan of the Panchayat. In the petition various such incidents have been alleged.

Learned counsel for the respondent no.10 submits that entire record is available with the respondent no.10 in respect of the utilization of the fund and all the payments were made on the basis of the resolutions signed by the petitioner nos.1 and 6.

At this stage a prayer has been made for consideration of the entire issue by the respondent no.4, District Magistrate, Murshidabad. It has been pointed out that the representation which is on record as annexure P-7 dated 27th July, 2022 is not a comprehensive representation.

Having regard to the nature of the allegations which have been made, we are of the opinion that the

issue needs to be examined by the respondent no.4. Hence, we dispose of the present petition permitting the petitioners to file an appropriate detailed representation before the respondent no.4 who on receipt of the same will give an opportunity of hearing to all the concerned parties including the respondent no.10 herein and will take a decision in accordance with law as expeditiously as possible, preferably within a period of three months from the date of receipt of the representation.

It will be open to the learned counsel for the respondent no.10 to file the relevant documents in support of his plea before the respondent no.4.

Petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)