

23.9.2022
Sl.No.127/sn

WPA 21579 of 2022

Sk. Kutubuddin
Vs.
The State of West Bengal & Ors.

Mr. Goutam Chakraborty
Mr. J.N. Manna ..for the petitioner

Sk. Galib
Mr. Gourab Das ..for the State

The petitioner alleges that he has been discontinued from his engagement as a Gram Rojgar Sevak was under MGNREGA. It appears that such engagement was done by Daudpur Gram Panchayat.

It appears that by an order dated September 5, 2022, the Block Development Officer and Programme Officer, Nandigram-I Development Block held that the petitioner could not have simultaneously worked in two organizations, both as a civic volunteer and a Gram Rojgar Sevak. The Block Development Officer arrived at the conclusion that the petitioner could not work in two organizations.

However as the authority had permitted the petitioner to file a written statement before the authority, the petitioner filed a representation and/or a written submission before the concerned authority through his learned advocate on September 6, 2022.

The petitioner submits that a fresh hearing should be given to the petitioner on the basis of the written submissions.

Learned advocate for the State respondents submits that show cause notices were issued. It also appears that there were serious allegations against the petitioner and a criminal investigation is going on. It is further submitted that the petitioner was holding two posts at the same time and the same was not permissible under the law.

This writ petition is disposed of by permitting the petitioner to file a detailed written statement along with supporting documents, as per the liberty granted by the Block Development Officer in the letter dated September 5, 2022. The said written statement shall be filed within four weeks from date and the same shall be considered and disposed of in accordance with law.

The petitioner shall be entitled to be represented by his authorised representative or by a learned advocate.

An opportunity of hearing shall be given to the petitioner. A reasoned order shall be passed and communicated to all.

The claim of the petitioner for non payment has also not been gone into. The same shall be decided by the said authority at the hearing.

All questions are left open.

This Court has not gone in the merits of the claims of the petitioner.

The entire exercise shall be completed within a period of eight weeks from the date of communication of this order.

This writ petition is disposed of.

There will be, however, no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)