

7.11.2022
Court No. 19
Item No.21
sn

WPA 21770 of 2022

Sandip Barui
Vs.
The State of West Bengal & Ors.

Mr. Sujit Kumar Rath
.....for the petitioner

Mr. Naba Kumar Das
Mr. Subhabrata Das
..for the State

This writ petition is disposed of in the absence of the non-appearing respondents as this Court is not inclined to pass any mandatory orders as prayed for. The matter is being relegated to the concerned authorities, for a decision. None appears on behalf of the South 24 Parganas Zilla Parishad as also the respondent no.5.

The petitioner alleges that the South 24 Parganas Zilla Parishad had granted a lease for operation of the ferry ghat to the respondent no.5, without holding a public auction. Allegations of violation of the Rules and Procedure have been made. The petitioner further alleges that other interested parties who were keen to obtain such lease had been deprived. This factual aspect cannot be decided by the Writ Court.

The writ petition also lacks sufficient materials and pleadings.

The petitioner is at liberty to approach the Executive Officer, South 24 Parganas Zilla Parishad with his allegations. If any complaint is filed, the same shall be disposed of in accordance with law upon giving an opportunity of hearing to the petitioner, the respondent no.5 and all other interested parties including a responsible officer of the South 24 Parganas Zilla Parishad.

A reasoned order shall be passed and communicated to all. If it is found that the authorities did not proceed in accordance with law, remedial measures as prescribed by law, shall be taken.

This court has not gone into the merits of the issues involved and such issues shall be decided by the appropriate authority as directed hereinabove upon compliance of the principles of natural justice and upon granting an opportunity of hearing to the respondent no.5.

The writ petition along with a server copy of this order be supplied to the Executive Officer, South 24 Parganas.

The entire exercise shall be completed within a period of four months from the date of communication of this order. This court has not entered into the merits of the allegations made. This order shall not be construed as an

observation of the court on the correctness of the allegations made by the petitioner.

Accordingly, the writ petition is disposed of.

There will be however no order as to costs.

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

(Shampa Sarkar, J.)