

WPA(P) 515 of 2022

**Babu Mistri
Vs.
The State of West Bengal & Ors.**

Mr. Chowdhury Faruk Ali
Ms. Shetparna Ray

... .. for the petitioner

Mr. Lalit Mohan Mahata
Mr. Supratim Dhar

... .. for the State

In this public interest petition the allegation of the petitioner is that the funds which have been received by the respondent Panchayat towards implementation of schemes/ projects for ensuring supply of drinking water have been misappropriated and the said funds have not been used for the purpose that were allocated. It has been alleged that no Tube Well has been installed and no sinking, re-sinking work has been done and no tender was invited by issuing any public notice and by preparing forged document the entire amount has been misappropriated.

The issue which the petitioner has raised in this public interest petition requires factual enquiry which can more appropriately be done by the respondent no.3/District Magistrate, Murshidabad. The record reflects that no comprehensive representation in this regard has been submitted to the respondent no.3 so far.

Learned counsel for the State has also fairly submitted that the needful can be done by the respondent no.3, if appropriate representation is submitted.

Hence, we dispose of the present petition permitting the petitioner to file a detailed comprehensive representation along with all the supporting documents before the respondent no.3, who on receipt of the same will conduct an enquiry, if required and take appropriate action in accordance with law after giving an opportunity of hearing to all the concerned parties. Let this exercise be completed within a period of three months from the date of receipt of the representation by the respondent no.3.

The writ petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)