

03-01-2022
ct no. 13
Sl. 26
sp

**WPA 21088 of 2019
(Through Video Conference)**

Saokat Molla & Ors.

-Versus-

The State of West Bengal & Ors.

Mr. Samim Ahammed

....for the petitioners

**Ms. Chama Mookherji, Id. Sr. Govt. Adv.,
Ms. Manika Pandit,
Ms. Debjani Ray**

...for the State

The second affidavit of service filed in Court today is taken on record.

The writ petitioners complain of nepotism and corruption allegedly committed by the respondent no.10, who is stated to be the Pradhan of the Bhogali – II Gram Panchayat.

The petitioners have made a complaint in this regard to the Baruipur Police District, which has not been attended till date.

Counsel for the petitioners also complains that the private respondent has committed unauthorized construction on PWD land at JL No. 91, R.S. Dag No. 2626, Mouza – Uttar Kathalia.

This Court is unable to accept the submissions of the Deputy Superintendent of Police (Crime), Baruipur Police District dated December 15, 2021 that no complaint has yet

been recorded against the said respondent with the Kashipur Police Station.

Be that as it may, the D.S.P. (Crime), Baruipur Police District shall ensure that the writ petition itself is treated as a complaint and formal FIR may be registered and appropriate steps may be taken immediately thereafter.

The District Magistrate, South 24 Parganas, shall immediately look into the allegations contained in the writ petition and take appropriate steps in accordance with law.

The Executive Engineer, PWD having jurisdiction over Uttar Kathalia shall take steps after due enquiry under the provisions of West Bengal Highways Act, 1964 in this regard.

Due notice of this order shall be made to the respondent nos. 4, 5 and 6 for appropriate action.

With the aforesaid observations, the writ petition is disposed of.

The petitioners shall communicate this order to the concerned respondents.

The respondents shall also consider, if the investigation needs to be shifted to any higher authority than the Baruipur Police District.

The report of the D.S.P. (Crime), Baruipur Police District dated December 15, 2021 may be kept with the record.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)