

28 09.11.2022

gd/ssd

WPA(P)/522/2022
BINDUMATI MAHATO
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Sabyasachi Chatterjee,
Mr. Sandipan Das,
Mr. Badrul Karim
..for the Petitioner.

Mr. Jahar Lal De,
Mr. Shamim-ul-Bari
..for the State.

Mr. Shuvro P. Lahiri,
Mr. Rajesh Naskar
..for the Respondent No.6.

In this public interest petition the petitioner who is stated to be the elected Member of Panchayat from Bodolde Sangsad in Dhelatbamu Gram Panchayat has questioned the NIT No.10/2021-22/DBGP dated 3rd February, 2022 which was relating to solar deep boring and pipeline. The petitioner has alleged certain irregularities in the process and has stated that the contract has been awarded to the private respondents who are the nearest persons of the Prodhan.

Learned counsel for the State has produced the report indicating that on the complaint of the petitioner the Block Development Officer, Barabazar Dev. Block, Purulia had given a notice of hearing dated 12.07.2022 to the petitioner and other affected parties and

thereafter he had conducted an enquiry and in that process the petitioner was given an opportunity of hearing and in the enquiry following conclusions were drawn:

- “1) Bindumati Mahato did not lodge any complaint immediately after the floating of tender notice issued on 03/02/2022 but did the same after the completion of the work on 28/06/2022.
- 2) It was an urgent tender as those areas where the solar deep boring were to be installed were facing sever water crisis mentioned in the resolution of Artha-0-Porikalpana Upa-samiti.
- 3) As mentioned in the resolution of meeting of Artha-0-Porikalpana Upa-samiti the work orders have been given to the contractors mentioned in the order due to unavailability of any other contractor.
- 4) Though the contractors had not the credential certificate of constructing solar pump exactly, they had credential certificate of deep boring which can be considered as similar type of work as mentioned in the resolution of Artha-0-Porikalpana Upa-samiti.
- 5) the GP administration was also left with a few choices due to the unavailability of the contractors and the urgency of the issue of redressing water crisis as mentioned in the resolution of Artha-0-Porikalpana Upa-samiti.”

He has also pointed out that the enquiry report has already been submitted to the District Magistrate and that the allegations, which have been made by the petitioner, have not been found to be correct.

Since the appropriate action on the complaint of the petitioner has already been taken and no case for

interference has been found, therefore, we are of the opinion that no useful purpose will be served in entertaining the petition. Even otherwise the learned counsel for the respondent no.6 has pointed out that the petitioner is the Ex-Prodhan of the Gram Panchayat who has filed the petition out of vengeance.

Hence, in the aforesaid circumstances, the petition is dismissed.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

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