

24.11.2022
Sl. No.29(DL)
srm

W.P.A. No. 24084 of 2022

Smt. Moumita Shit

Versus

The State of West Bengal & Ors.

Mr. Bharat Chandra Simai,
Ms. Sanchayita Das

...for the Petitioner.

Mr. Prasanta Behari Mahata

...for the State-respondents.

Affidavit-of-service is taken on record. Despite service, none appears on behalf of the respondent No.13.

As this court is not inclined to pass any mandatory directions as prayed for, the writ petition is taken up in her absence.

From the report filed by the Sub-Divisional Officer, Kharagpur Sub-Division, it appears that a joint inspection and verification of the eligibility of the candidates had been held. The residential status was also verified. The respondent No.13 was found to be eligible. However, the report is silent as to the details of the inspection and the specific residential status of the selected candidate. The respondent No.13, is not before the Court.

The eligibility with regard to the residential status has to be ascertained from the advertisement and subsequent notification of the Government regarding verification of such eligibility criteria.

The writ petition is disposed of with a direction upon the Sub-Divisional Officer, Kharagpur Sub-Division, Paschim Medinipur to treat the writ petition as the representation of the petitioner and pass a reasoned order in accordance with law. Before such decision is taken, a hearing shall be given to the petitioner, the authorized representative of the concerned panchayat authorities as also to the respondent No.13.

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

This Court has not gone into the merits of the claims and counterclaims of the parties and this order shall not be construed as an opinion of the Court on the issues involved.

A copy of the writ petition along with a server copy of this order be served upon the Sub-Divisional Officer, Kharagpur Sub-Division, Paschim Medinipur.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)