

22.11.2022
Sl. No.11(DL)
srm

W.P.A. No. 24894 of 2022

Abu Sahid Gazi

Versus

The State of West Bengal & Ors.

Mr. Mohinoor Rahaman,
Mr. Iqra Rahaman

....for the Petitioner.

Mr. Asim Kumar Ganguli,
Mr. Subrata Dasgupta

...for the State-respondents.

Affidavit-of-service is taken on record.

The writ petition has been filed with the allegation that the District Magistrate, North 24-Parganas did not comply with the direction of this Court dated February 22, 2022 passed in WPA 21109 of 2021.

The petitioner had filed the earlier writ petition with serious allegations of corruption, against the Pradhan of Bhebia Gram Panchayat, District-North 24-Parganas.

The Court was of the opinion that the complaint filed by the petitioners should be disposed of by the District Magistrate, North 24-Parganas.

The Court directed that all the parties must be heard and an enquiry must be conducted in accordance with law. A report of such enquiry was directed to be prepared and

handed over to the parties before the hearing and a decision by the authority.

Consequently, the Deputy Magistrate and Deputy Collector, Basirhat, North 24-Parganas fixed a date for joint interrogation of the Pradhan and two other members of the said gram panchayat.

The petitioner submits that the interrogation was not completed. The petitioner was not heard. It is further submitted that a questionnaire was provided to the petitioner, asking him to answer certain queries with regard to the source of his information etc.

I do not find anything illegal on the part of the authority in asking the petitioner to submit some answers. However, it is categorically made clear that once the enquiry and interrogations are over, the petitioner shall also be allowed to participate at the hearing. The interrogation which is continuing may continue, but the final order has to be passed upon hearing all the parties. The answers given by the persons interrogated shall also be supplied to the petitioner prior to the final hearing. The petitioner shall be allowed to controvert such statements with evidence and documents. The petitioner will answer the queries and also submit the supporting documents.

The allegation of the petitioner that the authorities were trying to protect the wrong doers, is not accepted by the Court at this stage. The Court reposes faith and trust on the District Magistrate and expects that the authority shall take all necessary steps to prevent any kind of unfair practice and corruption.

The writ petition is disposed of and it is expected that the issue shall be decided urgently and a reasoned order shall be passed and communicated. Remedial measures shall also be taken by the authority including setting the law in motion, if the allegations of the petitioner are to be correct.

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.)