

19.12.2022
Sl. No.3(DL)
srm

W.P.A. No. 26480 of 2022
Gopal Chandra Mondal
Versus
The State of West Bengal & Ors.

Mr. Kamalesh Bhattacharya,
Mr. Suvankar Nayek

....for the Petitioner.

Mr. Sudipto Panda,
Ms. Mun Mun Tewary

...for the State-respondents.

Affidavit-of-service is taken on record. Despite service, none appears on behalf of the panchayat authorities.

The allegations made in this writ petition do not persuade the Court to invoke the power of judicial review. No orders can be passed against the Pradhan of Freserganj Gram Panchayat, District-South 24-Parganas. The cause of action giving rise to the writ petition has not been pleaded properly.

The petitioner as a member of the Freserganj Gram Panchayat, District-South 24-Parganas complains that a land, which had vested to the State of West Bengal, had been handed over to the panchayat authorities. The Pradhan allegedly started settling portions of the said land in lieu of illegal gratification.

Although the allegation is serious, the same has not been substantiated by the petitioner with pleadings and

evidence. In such view of the matter, when the Block Development Officer, Namkhana, South 24-Parganas has been approached by the petitioner, this Court deems it fit to refer the matter to the concerned Block Development Officer for a decision. Before any decision is taken, an opportunity of hearing to the Pradhan of the said gram panchayat, the petitioner and any other interested party, shall be given.

A reasoned order shall be passed and communicated to all.

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

This Court has not gone into the merits of the allegations.

A copy of the writ petition along with a server copy of this order be served upon the Block Development Officer, Namkhana, South 24-Parganas.

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.)