

12.12.2022
Sl. No.22(DL)
srm

W.P.A. No. 26490 of 2022
Chandra Shekhar Mandal
Versus
The State of West Bengal & Ors.

Mr. Mrityunjoy Chatterjee
....for the Petitioner.

Mr. Lalit Mohan Mahata,
Mr. Prasanta Behari Mahata
...for the State-respondents.

Mr. Shuvro Prakash Lahiri,
Mr. Kunal Ganguly
...for the Respondent No.8.

Mr. Uday Narayan Betal,
Mr. D. Majumder
...for the Respondent Nos.9 to 14.

The grievance of the petitioner, who is a member of Akandabaria Gram Panchayat, District-Malda, is that despite orders of this Court, the Pradhan has not been calling the meetings as per law. The budget meeting had not been convened. Further allegation is that the Block Development Officer, Kaliachak-III Development Block, Malda has failed to make an enquiry with regard to the subsisting disputes between the Pradhan and the members, despite there being an order of a co-ordinate Bench of this Court.

In the first round of litigation, a co-ordinate Bench directed the Block Development Officer to enquire into the

allegations against the Pradhan, of not following the provisions of law. The dispute cropped up with regard to the non-approval of the budget for the financial year 2021-22. The Block Development Officer, Kaliachak-III Development Block, Malda was directed to conduct an enquiry with regard to the grievance of the members. Another writ petition was filed by the petitioner and some others, alleging that despite the earlier order, the budget meeting had not been convened for the financial year 2022-2023. This Court had directed the Pradhan to convene a meeting in accordance with law. Once again, this writ petition has been filed with similar allegations against the Pradhan.

Mr. Lahiri, learned Advocate appearing on behalf of the Pradhan, produces some documents. It appears that budget meeting for the financial year 2022-23 had been convened on September 28, 2022. The resolution that was passed bears the signatures of the members. The petitioner is also a signatory in the resolution book. Accordingly, papers were sent to the Block Development Officer, Kaliachak-III Development Block, Malda on September 28, 2022. Again, upon consideration of the order of this Court dated November 16, 2022, the resolution and the budget had been sent to the Block Development Officer, Kaliachak-III Development Block on November 30, 2022.

In such view of the matter, nothing remains to be decided in the writ petition. The Block Development Officer, Kaliachak-III Development Block, Malda, shall act and proceed in accordance with law with regard to the approval of the budget. The Block Development Officer, Kaliachak-III Development Block, Malda will proceed with regard to the approval of the said budget within December 27, 2022.

The order of this Court is restricted to the allegation against the Pradhan of not convening the budget meeting. The other disputes between the parties have not been decided.

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.)