

1.3.2023
Ct.19/sl.15
sn

W.P.A. 3056 of 2023

Mandira Mandal(Das)

Vs.

The State of West Bengal & Ors.

Mr. Gangadhar Das
Mr. Tanmoy Chattopadhyay
...for the Petitioner

Despite service, none appears on behalf of any of the respondents. Let affidavit of service be taken on record.

Mr. L.M. Mahata, learned Additional Government Pleader, is requested by this Court to appear in this matter and ensure that the order to be passed by the Court is viewed with seriousness by the authorities. His appearance may be regularized.

The Sanchalaks of five upa-samitis of Sahapur Gram Panchayat on an earlier occasion had moved this Court alleging certain irregularities in the gram panchayat especially with regard to the issuance of tenders. One of such contentions was that the Artho-O-Parikalpana Upa Samiti was never consulted by the Pradhan when the decisions with regard to the issuance of tender notices were taken.

According to the petitioner, the members of the gram panchayat would be held responsible for all policy and financial decisions, but the said decisions

were always taken behind their back, without any discussions at all.

This Court had directed the District Magistrate, Malda to make an enquiry with regard to the allegations and take remedial measures. It is informed that no steps have yet been taken.

Mr. Das, learned advocate for the petitioner submits that the District Magistrate has not yet taken steps to call the parties for a hearing and taking advantage of the time gap, further irregularities are being committed.

This Court deems it fit to direct the concerned District Magistrate to follow the order already passed and take immediate steps.

The Commissioner of Panchayat & Rural Development is also directed to ensure that the contentions of the petitioner are addressed by the District Magistrate and if such allegations are found to be correct, remedial measures should immediately be adopted.

All steps to be taken within the time period already directed by this Court in the earlier writ petition.

As an interim measure, the Commissioner of Panchayat shall intimate the gram panchayat and issue directions as to how matters with regard to issuance of tenders etc. should be dealt with.

This order will not be construed as a decision of the Court on the correctness of the allegation of the petitioner and District Magistrate shall decide the issue upon considering the submissions of all the parties.

This writ petition is disposed of.

There will be, however, no order as to costs.

All parties are directed to act on the server copy of this order.

(Shampa Sarkar, J.)