

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. No. 4180 of 2023

Chanchal Pramanick
Vs.
The State of West Bengal & Ors.

Mr. Abhimanyu Banerjee,
Mr. Arnab Saha
.... for the petitioner

Mr. Sk. Md. Galib,
Mr. Anubrata Santra
....for the State

Mr. Tanoy Chakraborty
....for the respondent no. 11

1. The present challenge has been preferred primarily with allegations against the respondent no. 11 in her capacity as the *Sabhadhipati* of a particular village Panchayat.

2. The other component of the claim of the petitioner is that the petitioner applied for flood relief in the year 2017 but the said claim has not been decided by the respondent-authorities.

3. Learned counsel appearing for the respondent no. 11 submits that there is no proof furnished in the writ petition to indicate that the purported representation was at all served on the respondent no. 11 or for that matter any other respondents.

4. It is further contended that the petitioner has not shown anything to establish that the petitioner is entitled to the claim. That apart, the purported claim was made in the year 2017 and the petitioner waited for so long. As such, there cannot be any merit in the claim of the petitioner for such flood relief.

5. A perusal of the writ petition indicates that the same primarily relates to several allegations made by the petitioner against the respondent no. 11. It is pointed out by the learned counsel for the petitioner that already there have been internal communications at the behest of the Block Development Officer regarding infirmities and irregularities in the actions of the respondent no. 11. There are charges of nepotism and other charges against the said respondent. An investigation is also going on against the respondent no. 11.

6. Learned counsel for the petitioner submits that the petitioner's claim for flood relief may also be considered.

7. Since the nature of the allegations cannot be decided within the limited scope of a writ petition, as criminal investigation is the necessary which is now going on at the behest of the petitioner and the functionaries of the State, there is no scope of interference on such count. Insofar as the

petitioner's claim for flood relief is concerned, it is for the respondent-authorities to consider the same. However, surprisingly, the petitioner has waited for so long after making the claim purportedly in the year 2017, which also weakens the strength of the claim of the petitioner.

8. Be that as it may, W.P.A. No. 4180 of 2023 is disposed of with the expectation that the investigation going on against the respondent no. 11 is concluded early in due course of law. The petitioner is given liberty to apply afresh in appropriate format for the flood relief which he is claiming in the writ petition. If he is so entitled otherwise, the same shall be processed by the authorities concerned in due course of law.

9. There will be no order as to costs.

10. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)