

13.03.2023
Court No. 19
Item no.50
CP

W.P.A. No. 5357 of 2023
Sonamoni Saha
Vs.
The State of West Bengal & Ors.

Mr. Ziaul Haque
Mr. Himadri Kumar Mahata
Mr. Arka Bhattacharya

....for the petitioner.

Mr. Lalit Mohan Mahata
Mr. Rudranil De

....for the State.

The writ petition is disposed of with a direction upon the Block Development Officer to dispose of the representation of the petitioner dated June 29, 2022, seeking resumption of duty as the Pradhan after she was released on statutory bail.

In connection with an investigation, the petitioner as the Pradhan of Boral Gram Panchayat had been arrested. Thereafter, the petitioner was granted statutory bail.

The petitioner submits that as her tenure as a pradhan had not yet been over and she had neither been suspended nor removed from her office, she was entitled to continue in the said post.

Mr. De, learned advocate for the State respondents, submits that merely on the statement

of the petitioner that she had not been suspended or that no conditional order had been issued by a higher court in respect of the bail granted, directions cannot be issued by this court to reinstate the Pradhan.

The court simply disposes of the writ petition directing the Block Development Officer to arrive at a decision and intimate such decision to the petitioner. It is on record that the petitioner had approached the Block Development Officer (prescribed authority) for necessary orders allowing her to join her post.

Such decision will be communicated to the petitioner, upon hearing the petitioner as also other interested parties who are either members and/or officials of the said gram panchayat.

A reasoned order shall be passed and communicated.

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

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)