

11.04.2023

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WPA (P) 140 of 2023
Mojaffar Hossain & Ors.
Vs.
The Union of India & Ors.

Mr. Barun Kumar Samanta for the petitioners.

Mr. Samrat Sen, Ld. AAAG.,
Mr. Nilotpal Chatterjee,
Mr. Amrita Lal Chatterjee

... for the State.

1. By filing this public interest writ petition, the petitioners seek for a direction upon the 3rd respondent to consider the complaints given by the petitioners through their learned Advocate dated 18th November, 2022, 6th January, 2023, 7th February, 2023 and 23rd February, 2023. In the said representations / complaints, the petitioners have made certain allegations against the 9th respondent alleging that there has been irregularities in the implementation of the Mahatma Gandhi National Rural Employment Guarantee Scheme.

2. Since we are disposing of the writ petition without notice to the 8th and 9th respondents, we do not wish to make any observation in this order but would direct the 3rd respondent, namely, the District Magistrate and District Programme Co-ordinator, Malda to examine the complaints / representations, issue notice to the 8th and 9th respondent in

particular as well as call for report from the 7th respondent and after hearing the authorised representative of the writ petitioners, pass a reasoned order on merits and in accordance with law.

3. In order to enable the 3rd respondent to comply with the above directions, the petitioners are directed to submit copies of the representations along with the copy of this order before the 3rd respondent / District Magistrate.

4. The above directions be complied with within a period of eight weeks from the date of receipt of the server copy of this order.

5. Needless to state that the District Magistrate, Malda will be at liberty to hear any third parties, who are required to be heard in the matter.

6. There shall be no order as to costs.

7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T. S. SIVAGNANAM)
ACTING CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)