

11.04.2023
Court No. 19
Item No.32
CP

W.P.A. No. 8081 of 2023
Murshidabad Roshanbagh Social Welfare
Development Society
Vs.
The State of West Bengal & Ors.

Mr. Saunak Bhattacharya
Mr. Sounak Mondal
Mr. Abhirup Halder
...for the petitioner.

Mr. Lalit Mohan Mahata
Mr. P. B. Mahata
....for the State.

Ms. Shebatee Datta
....for the respondent nos. 6 & 7.

The petitioner submits that the entire amount claimed by the petitioner for the works done under the Mission Nirmal Bangla had not been disbursed by the authority. According to the petitioner, about Rs.55,60,000/- is payable.

Reference is made to a document at page 14 of the writ petition which is a communication from the Bhagwangola-II Panchayat Samity to the Additional Executive Officer, Murshidabad Zilla Parishad.

It appears from the said document that the petitioner had constructed Blue Toilets under the Mission Nirmal Bangla in three gram panchayats, namely, Nashipur, Amdahara and Baligram. The Executive Officer, Bhagwangola-II Panchayat Samity

had requested the Additional Executive Officer for disbursement of funds. According to the petitioner, the funds have not yet been disbursed.

Further reference is made to another chart prepared by the Additional Executive Officer with regard to the NGO-wise subsidy disbursement.

Under such circumstances, the writ petition is disposed of with a direction upon the Additional Executive Officer, Murshidabad Zilla Parishad to treat the writ petition as a representation and dispose of the same in accordance with law, upon granting an opportunity of hearing to the petitioner and all other interested parties.

A reasoned order shall be passed and communicated to the petitioner.

If the claim of the petitioner as forwarded by the Executive Officer of the panchayat samity is found to be correct, necessary steps shall be taken for payment.

If there are reasons not to allow the entire payment or partial payment, then reasons shall be disclosed in the order.

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

A copy of the writ petition along with a server copy of this order be served upon the Additional

Executive Officer, Murshidabad Zilla Parishad for necessary compliance of this order.

The writ petition is accordingly 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.)