

11.04.2023

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WPA (P) 159 of 2023

Md. Harun Rashid & Anr.

Vs.

The State of West Bengal & Ors.

Mr. Shamim Ul Bari for the petitioners.

Mr. Jahar Lal De,
Mr. Debarati Sen (Bose)

... for the State.

1. By this public interest writ petition, the petitioners seek for registration of an FIR against the Prodhan of Bangitola Gram Panchayat for allegedly awarding tenders to his family members violating the various statutes.

2. If the petitioners want an FIR to be lodged, then the remedy of the writ petitioners is elsewhere. Therefore, we cannot accede to the prayer sought for in the writ petition. However, we find a representation has been given on 1st December, 2022 to the respondents and in particular, to the District Magistrate, Malda.

3. Therefore, without going into the merits of the allegations made in the representation, we direct the District Magistrate, Malda to consider the representation dated 1st December, 2022 after hearing the petitioners or their authorised

representatives as well as the 8th respondent and also other persons in whose favour the tenders have been awarded, examine all aspects in the matter and take a reasoned decision in accordance with law.

4. The above direction shall be complied with within a period of 12 weeks from the date of receipt of the server copy of this order.

5. In order to enable to the District Magistrate to comply with the above directions, the petitioners are directed to forward a copy of the representation along with a copy of this order to the concerned District Magistrate.

6. With the above directions, the writ petition is disposed of.

7. There shall be no order as to costs.

8. 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.)