

M/L 483
25.01.2023
Court. No. 19
GB

W.P.A. 8045 of 2022

Sri Ratan Acharya
VS
The State of West Bengal & Ors.

*Mr. Nandadulal Bandyopadhyay,
Mr. Swapan Kumar Barik*

...for the Petitioner.

*Mr. Jahar Lal De,
Mr. Shamim Ul Bari*

...for the State.

*Mr. Kamal Mishra,
Ms. Rimpay Mukherjee,
Mr. Subhadeep Maitra*

...for the Pradhan and panchayat authorities.

Affidavit-of-service filed in Court today, be kept with the record. The police report is also taken on record.

The petitioner as a citizen had brought to the notice of the authorities that on the strength of a communication from the Pradhan of Badhia gram panchayat, some valuable trees have been felled which were standing since long, on panchayat land.

It appears that the petitioner's allegations were given due importance and an enquiry was held by the Block Development Officer through the Executive Assistant, Badhia gram panchayat. A report dated April 22, 2022 prepared by the executive assistant was submitted before the Block Development Officer, Ramnagar-I Development Block.

The allegation of the petitioner that some miscreants were uprooting and cutting down trees, was found to be genuine. However, the letter of the Pradhan which is Annexure-P/1 at Page 14 of the writ petition was found to be

non-existent in the records and the signature of the Pradhan was found to be false.

The concerned Block Development Officer, on the basis of the said report, shall continue with the enquiry and take remedial measures so that such activities are not repeated in future and the panchayat authorities are more vigilant about protection of public property. In addition to the same, a complaint shall be filed by the Block Development Officer before the Officer-in-Charge, Ramnagar Police Station for the alleged offence of destruction of vegetation and public property and also with regard to the issue of falsification of documents of the panchayat office and forgery of the Pradhan's signature. The investigation initiated by the police authorities being Ramnagar P.S. Case No.180 of 2022 dated May 7, 2022 under Sections 427/379/34 of the Indian Penal Code shall continue in accordance with law and reached to its logical conclusion.

The police authorities shall also enquire into the aspect as to how the letterhead of the gram panchayat could be issued and signature of the Pradhan could be forged by the miscreants who had indulged in such illegal activities. The petitioner and the panchayat Pradhan will render all cooperation to the authority during such investigation. Aid of a handwriting expert shall be taken by the local police to verify the signature on the said documents.

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.)