

24.01.2023
Ct. 5
D/L 5
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WPA 11465 of 2018

Jagannath Nath

-Vs-

The State of West Bengal & Ors.

Mr. Shamim Ul Bari,
Mr. Gourab Kumar Nath

... for the petitioner

Mr. Sirsanya Bandopahdyay,
Mr. Arka Kumar Nag

... for the State

The petitioner claims to be an empanelled lawyer of the State at Basirhat Court. The petitioner rendered service on behalf of the State from 2013-2017. The petitioner was constrained to approach this Court in 2017 when a coordinate Bench disposed of the said writ petition with a direction on the District Magistrate, North 24 Parganas to release the amount claimed to the petitioner. Certain amount of money was released pursuant to the direction. The petitioner claims that about Rs. 9 lacs are still due and owing to the petitioner for service rendered.

Learned counsel appearing for the State submits that the required verification of the petitioner's work by the bench clerk could not be located. Counsel also raises some other allegations against the petitioner,

which this Court is not inclined to go into at the present stage since a representation made by the petitioner on 22nd March, 2018 is still pending and has not been answered by the concerned District Magistrate.

This Court is of the view that even if there are certain issues against the petitioner, the petitioner has a right to expect a response to the representation made almost five years ago.

WPA 11465 of 2018 is accordingly disposed of with a direction on the District Magistrate, North 24 Parganas/respondent no. 2 to consider the representation made by the petitioner on 22nd March, 2018 and dispose of the same by passing a reasoned order within 17th February, 2023. The petitioner shall be heard by the District Magistrate before passing the reasoned order. A copy of the reasoned order shall be communicated to the petitioner by 22nd February, 2023.

(Moushumi Bhattacharya, J.)