

13.04.2023
Court No. 19
Item no.68
CP

W.P.A. No. 12099 of 2022

Mabia Khatun & ors.

Vs.

The State of West Bengal & Ors.

Mr. Robiul Islam

Mr. Raju Mondal

....for the petitioners.

Although the respondent nos. 11 to 15 have been impleaded as respondents in this proceeding, learned advocate for the petitioners submits that the petitioners do not have any claim or allegation against the said respondents. Hence, the names of the respondent nos. 11 to 15 be expunged from the cause title of this writ petition.

Learned advocate for the petitioners shall enter the necessary correction in the cause title.

The petitioners were initially appointed as CSP in Kalinagar-II and Kalinagar -I Gram Panchayat through their respective self-help groups sometime in November 2020. Subsequently, the petitioners were appointed as VBDC sometime in June, 2021. The petitioners made representations before the authorities to release them from their position of CSP so that they could continue with their services as VBDC. The respective pradhans issued letters releasing the petitioners from their post as VBDC as

the petitioners could not legally serve in two posts at the same time.

The petitioners are aggrieved because the authority ought to have given them an option whether to continue as CSP or VBDC. The petitioners are interested to serve as VBDC and not as CSP. This issue cannot be decided by the court. The petitioners have already approached the Block Development Officer by filing several representations.

The writ petition is disposed of with a direction upon the Block Development Officer, Raninagar – II Development Block to treat the writ petition as a representation and dispose of the same in accordance with law, upon hearing the contentions of the petitioners as also the contentions of the respective pradhans of the concerned gram panchayats where the petitioners were working as CSP.

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

The court has not gone into the merits of the allegations involved and also has not decided the right of the petitioners to continue as VBDC. All such issues shall be decided independently and in accordance with law.

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 Block Development Officer for necessary compliance of this order.

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.)