**ML 89**
25.04.2023
Court. No. 19
*GB*

WPA 13337 of 2022

M/s. New Maa Sindhu Enterprise & Anr.
Vs
The State of West Bengal & Ors.

*Mr. Billwadal Bhattacharyya,*
*Mr. Anup Dasgupta,*
*Mr. Anish Kumar Mukherjee,*
*Mr. Arha Bhattacharyya*

*... for the Petitioners.*

*Mr. Bibekananda Tripathy*

*... for the Respondent No.5.*

Affidavits-of-service filed in Court today, be kept with the record.

The Court finds that the petitioners' work order was cancelled by the decision of the 'Artha O Parikalpana Upa Samiti' of Gokulnagar Gram Panchayat. Intimation to that effect was sent on March 25, 2022 by the Pradhan. The ground for cancellation of the work order was local disturbance.

The Pradhan has submitted a report. It indicates that the ground for cancellation of the work given to the petitioners for sinking submersible pumps, was that such installations had already been made by the Zilla Parishad and the panchayat samiti.

The reasons given by the Pradhan before the Court today and the reason assigned by the Pradhan in the order of cancellation, are contradictory.

The Court is not satisfied with the way the issue has been handled by the panchayat authorities. Thus, the Court

directs the District Magistrate, Purba Medinipur to treat the writ petition as a representation of the petitioners and dispose of the same in accordance with law upon giving an opportunity of hearing to a representative of the petitioners, the Block Development Officer, Nandigram-I Block and the Pradhan of Gokulnagar Gram Panchayat.

If the authority finds that there were extraneous reasons and not administrative reasons for cancellation of the work orders given to the petitioners, a reasoned order shall be passed with details of such finding. Steps shall be taken against the erring officials, as permitted by law. The decision shall precede a thorough enquiry in the matter. All parties shall be allowed to participate in the enquiry.

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

The reliefs claimed in the writ petition have not been decided by the Court and the petitioners will be at liberty to raise the issues at any stage in any proceeding before any competent forum.

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.)**