

March 14, 2023
Sl. No.27
Court No.1
s.biswas

WPA (P) 306 of 2022
Firoj Khan and others
vs.
Union of India and others

Mr. Avinaba Patra,
Mr. Priyankar Ganguly, Advocates
... for the petitioners
Mr. Brajesh Jha, Advocate
... for the Union of India
Mr. Jaharlal De,
Mr. Supratim Dhar, Advocates
... for the State
Mr. Samim Ahammed,
Ms. Ambiya Khatun, Advocates
... for the respondent No.10
Mr. Billwadal Bhattacharyya, ld. DSGI
... for the CBI

Affidavit of service filed by the petitioners is taken on record.

The allegation in this public interest petition is about the corruption and embezzlement of public fund in the execution of different works under Mahatma Gandhi National Rural Employment Scheme at Paranpur Gram Panchayat level. Further plea of the petitioners is that though a complaint was made to the different authorities but till now no action has been taken.

Record reflects that the petitioners had filed a representation dated 28th February, 2022 (Annexure P-1) before the respondent No.6 [The District Magistrate and District Programme Coordinator (MGNREGA)].

Learned counsel for the State has fairly submitted that there is no objection in considering the said representation.

We are of the view that the allegation made in this public interest petition needs factual enquiry on the basis of available record as also the spot inspection to ascertain the extent of corruption. Therefore such exercise can be more appropriately done by the respondent No.6, who is stated to be the competent authority.

Hence, we dispose of the present petition directing the respondent No.6 to duly consider the petitioners' representation dated 28th February, 2022 in accordance with law after giving an opportunity of hearing to all the concerned parties and after conducting an enquiry if required.

Let this exercise be completed within a period of four months from the date of receipt of the copy of this order along with a fresh copy of the representation dated 28th February, 2022.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)