

Item No.9
25.04.2023
Court. No. 19
GB

WPA 16405 of 2022

Amit Kumar Mandal
Vs
The State of West Bengal & Ors.

*Mr. Sabir Ahmed,
Mr. Abdur Rakib,
Mr. Biswajit Sarkar,
Ms. Suman Biswas*

...for the Petitioner.

*Mr. Susovan Sengupta,
Mr. Manas Kumar Sadhu*

...for the State.

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

The petitioner claims to have completed works in terms of work orders allotted for implementation of 'Nirmal Bangla Mission'. The said mission is a scheme under the MGNREGA. Such work was allotted to the petitioner by the Mahananda Tola Gram Panchayat. The petitioner relies on several documents and bills in support of his contention that the bills were duly deposited in the office of the gram panchayat but the said bills were not paid.

The records which have been annexed to the writ petition do not indicate as to whether the bills of the petitioner had been checked by the gram panchayat and found to be in order. Unless such bills are found to be in order and uploaded in the official portal, the money is not transmitted by the Central Government.

Under such circumstances, the writ petition is disposed of with a direction upon the District Magistrate, Malda to

dispose of representation of the petitioner made through his learned advocate dated March 21, 2022 in accordance with law. While disposing of the matter, the issue of eligibility of the petitioner to receive payment, shall be decided. The petitioner, the Pradhan of Mahananda Toal Gram Panchayat and the Block Development Officer shall be heard. Necessary orders shall be passed. If the petitioner is found to be eligible for payment, directions shall be issued in this regard. If the petitioner is not found eligible to receive either partial or complete payment, reasons shall be disclosed. A reasoned order shall be passed and communicated to all concerned.

The entire exercise shall be completed within a period of eight weeks from the date of communication 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.)