

April 27, 2023  
Sl. No.A 177  
Court No.19  
s.biswas

WPA 16870 of 2022

*Alok Bhanja*

*vs.*

*The State of West Bengal and others*

Mr. Atarup Banerjee,  
Mr. Abu Sohel,  
Mr. Rajdeep Pramanik,  
Ms. Sanwyabi Nandi,  
Ms. Ujjayani Banerjee, Advocates

... for the petitioner

Mr. Jahar Lal De,  
Mr. Rudranil Dey, Advocates

... for the State

Mr. Subhas Jana, Advocate

... for the Pradhan

The District Programme Coordinator, NREGA and the District Magistrate, Purba Medinipur, shall take a decision in terms of the communication issued by the Programme Officer, MGNREGA & Block Development Officer, Contai-I Development Block dated February 24, 2022.

The engagement of the petitioner as Gram Rojgar Sevak in Raipur Paschim Barh Gram Panchayat, was held up due to pendency of the writ petition being WP 22426 (W) of 2009, filed by one Syed Ahsan Ali.

Ultimately, the said writ petition was dismissed as withdrawn, meaning thereby that the said Syed Ahsan Ali did not want to proceed with his application before the Court challenging the engagement of the petitioner. The Block Development Officer, Contai-I Development Block, has opined that there was no further embargo in

engaging the petitioner as the Gram Rojgar Sevak in view of the fact that the writ petition had been disposed of. The petitioner was allegedly selected through a proper process.

Learned advocate, appearing for the Pradhan, also submits that the Raipur Paschim Bargh Gram Panchayat had selected the petitioner through a proper recruitment process and the petitioner was the successful candidate.

The petitioner shall be engaged subject to the final decision of the District Programme Coordinator, NREGA. The decision shall be arrived at within a period of six weeks from the date of communication of this order. If required, the petitioner, the Pradhan, Raipur Paschim Barh Gram Panchayat as also the Block Development Officer, Contai-I Development Block, shall be heard and further clarification and/or verification in support of the recommendation made for engagement of the petitioner may be obtained. A reasoned order shall be passed and communicated to the petitioner.

Needless to mention, as the authorities had found that the engagement of the petitioner was in accordance with law and the person who challenged such engagement is no longer interested to pursue his case, there should not be any unnecessary denial

of the right of the petitioner, if he is otherwise eligible.

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 server copy of this order.

**(Shampa Sarkar, J.)**