

04.09.2023

Item No.3

Ct. No.1

PG/KS

W.P.A.(P) 447 of 2023
Zainul Haque
VS
The State of West Bengal & Ors.

Mr. Nauroz Rahber

Mr. Imtiaz Akhtar

.....For the Petitioner

Mr. Amal Kumar Sen, Ld. A.G.P.

Mr. Lal Mohan Basu

.....For the State

1. By this public interest litigation, the petitioner alleges that there has been large-scale embezzlement of the funds allotted to Goalpokher – 1 Milan Mahila Mahasanga, which has been engaged to supply of school uniforms for students of Class – I to VIII in Goalpokher – I Development Block.
2. Admittedly, the project for supply of uniforms is a project of the Government of West Bengal and if there are any allegation with regard to alleged embezzlement of the funds, which were allotted for a public purpose, obviously, the authorities should look into the matter. In this regard, a representation has been made to the District Magistrate, Uttar Dinajpur, the 5th respondent, which has also been received by the office of the District Magistrate on the very same date.

3. Without going into the allegations made by the petitioner in the representation as well as in the writ petition, we are disposing of this writ petition without calling for affidavits.
4. We direct the 5th respondent namely the District Magistrate, Uttar Dinajpur to consider the representation dated 3rd May, 2023, issue notice to the private respondents as well as all other concerned, call for the necessary records and examine as to whether the allegations made by the writ petitioner are made out or not.
5. The petitioner shall also be put on notice so as to enable the petitioner to place all the documents, which are in his custody to support the allegations. Such enquiry be conducted and an order be passed by the District Magistrate on merits and in accordance with law within a period of eight weeks from the date of receipt of server copy of this order.
6. The petitioner is directed to submit a copy of the representation dated 3rd May, 2023 and all other documents in support of his contentions alongwith a copy of this order and place the same before the 5th respondent for compliance of the above directions.

7. It is made clear that we have not gone into the merits of the allegations and it is for the District Magistrate to enquire into the matter.
8. No costs.
9. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)