

19.09.2023
Item No.05
RP/AN
Ct. No.1

WPA(P) 483 of 2023

Sri Ambuj Tewari
Vs.
The State of West Bengal & Ors.

Mr. Goutam Dey
Ms. Ankita Ghosh
Mr. Ankan Mondal
... for Petitioner

Mr. Samrat Sen, Sr. Adv., Ld. AAG
Mr. Saikat Chatterjee
Mrs. Manali Ali
... for State

1. The petitioner who claims to be a public interest litigant seeks for appropriate direction and investigation with regard to project of Compost Making Works under MGNREGA Project implemented by Purulia Forest Division from 2019 onwards. Several complaints were made to the authorities which evoked a response from Chief Conservator of Forests, South West Circle, who by order dated 4th January, 2023 instructed the Divisional Forest Officer, Purulia Division to conduct a detail enquiry. In the said order it has been pointed out that there is no sign of permanent assets created except the sign board standing mute in open field depicting sorry state of affairs. Thus, such a communication was received by the Divisional Forest Officer from a superior officer,

namely, Chief Conservator of Forest, till date no action has been taken.

2. The learned government counsel appearing for the respondent authority on instruction from the authorities would submit that it is nothing but casting aspersion on the genuineness of the present litigation.
3. Be that as it may, if the superior officer has addressed the Divisional Forest Officer to take action it is incumbent upon the Divisional Forest Officer to take further action in the matter, otherwise it will tantamount to disobedience of the superior officer and may also result in disciplinary action being initiated against the concerned officer.
4. In the light of the above, we direct the Divisional Officer, Purulia Division to forthwith carry out the orders passed by the Chief Conservator of Forests, South West Circle dated 4th January, 2023 and take all steps for the purpose of implementing the project in question, if there is no other legal impediment.
5. With the above observation, this writ petition is disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)

