

17.
11.10.2023
S.D.

W.P.A. 23540 of 2023

**Ava Mahata
Vs.
The State of West Bengal & Ors.**

Mr. Saibal Acharya
Mr. Shahen Shah
Mr. Aninda Bhattacharya
Mr. Soumen Barman

...For the Petitioner

Mr. Subhendu Sengupta

..For the State

The claim of the petitioner is that her husband was killed by Maoists on October 3, 2010. The petitioner prayed for appointment under the reimbursement of Security Related Expenditure (SRE) Scheme. The petitioner duly applied before the office of the District Magistrate, Paschim Medinipur.

By a communication dated December 7, 2020, the Additional District Magistrate (General), Paschim Medinipur directed the Block Development Officer (BDO) to enquire into the matter regarding the applicant's *eligibility* for a Government job under the SRE Scheme and forward an enquiry report at the earliest.

Mr. Acharya, learned counsel appearing on behalf of the petitioner submits that no steps have been taken by the concerned BDO till date.

Mr. Sengupta, learned counsel appearing on behalf of the State respondents submits that the petitioner is not eligible for appointment under the SRE Scheme as her husband was not killed by the Maoist and only went missing.

Considering the rival submissions of the parties and the materials placed on record, this Court finds that justice will be sub-served by directing the BDO/respondent no. 7 to consider the representation of the petitioner dated November 8, 2020 within a period of 10 weeks from date upon giving an opportunity of personal hearing to the petitioner or her representative.

Let a reasoned order be communicated to the petitioner within two weeks of passing thereof. The reasoned order shall indicate the status of the enquiry report as per the Additional District Magistrate's communication dated December 7, 2020.

With the directions aforesaid, **W.P.A. 23540 of 2023 is disposed of.**

Since no affidavits have been directed to be exchanged in the present writ petition, all the allegations contained in the petition are deemed not to have been admitted by the parties.

All parties shall act on the server copy of this order duly downloaded from the official **website** of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all the formalities.

(Lapita Banerji, J.)