

10 24.01.2023

gd/ssd

WPA(P)/587/2022
ISWAR SARKAR
VS
THE STATE OF WEST BENGAL AND ORS.

Ms. Mousumi Mitra,
Mr. Maidul Islam Kayal
..for the Petitioner.

Mr. Ashim Kr. Ganguly
..for the Respondent Nos.1 to 8.

The grievance raised in this public interest petition is that the defalcation has been done in the implementation of various MGNREGA projects in Village Akalpur within Bairgachhi-II Gram Panchayat under Gazole Panchayat Samity. In Paragraph 4 of the petition the details of the projects have been mentioned in respect of which there is allegation of misappropriation of fund.

Submission of learned counsel for the petitioner is that though the petitioner had made the detailed representation dated 15.09.2021 to the respondent no.5 i.e. District Magistrate & Collector, Malda but till now no action has been taken on the said representation.

Learned counsel for the State submits that there is no objection in considering the petitioner's representation within a time bound period.

Hence, we dispose of the present petition directing

the respondent no.5 i.e. District Magistrate & Collector, Malda to duly consider the petitioner's representation dated 15.09.2021 in accordance with law and take appropriate action against the erring officers and persons responsible for defalcation, if any, as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of this order. Petitioner is directed to submit a fresh copy of the representation along with a copy of this order to the respondent no.5 i.e. District Magistrate & Collector, Malda.

Needless to say in that process the respondent no.5 will give an opportunity of hearing to all the concerned parties.

The petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

