

02.01.2023
Sl. No.44(ML)
srm

W.P.A. No. 27794 of 2022
Anwar Ali & Anr.
Vs.
State of West Bengal & Ors.

Mr. G.S. Kaderi,
Mr. S. Banerjee

....for the Petitioners.

Mr. Srijan Nayak,
Mrs. Rituparna Maitra

...for the State-respondents.

Affidavit-of-service is taken on record.

The petitioner No.1 claims to be a member, having been elected from Samsad No.16 under the Bharatpur Gram Panchayat, District-Murshidabad. According to the petitioners, the panchayat authorities floated a notice inviting e-tender on October 21, 2022 for certain developmental works. The allegation is Samsad No.16 has been excluded from all developmental works of the gram panchayat.

The petitioners submit that it was incumbent upon the authorities to ensure that each and every Samsad under the concerned gram panchayat is developed equally and the projects are implemented uniformly.

A complaint to that effect was filed before the District Magistrate, Murshidabad.

Without going into the merits of the allegation made by the petitioners, the writ petition is disposed of with a direction upon the District Magistrate, Murshidabad to consider the representation of the petitioners only with regard to the allegation that the panchayat authorities had been intentionally avoiding to execute developmental works in Samsad No.16 of the Bharatpur Gram Panchayat. The petitioners, the Block Development Officer Bharatpur-I, as also the Secretary and the Pradhan of the concerned gram panchayat shall be heard.

A reasoned order shall be passed and communicated to all concerned.

The entire exercise shall be completed within a period of three months from the date of communication of this order.

This order shall not be construed as an injunction on the ongoing works which have been allotted pursuant to the e-tender dated October 21, 2022. The validity of the e-tender notice has also not been gone into. The ongoing works will continue.

A copy of the writ petition along with a server copy of this order be served upon the District Magistrate, Murshidabad.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)