

Sl.22
9.1.2023
Court. No. 19
sn

WPA 28925 of 2022

**Md. Ahasan
Vs.
The State of West Bengal & Ors.**

**Mr. Kalyan Kr. Chakraborty
Mr. Kashinath Bhattacharyya
Mr. Ashok Halder
..for the petitioner**

**Mr. Santanu Kr.Mitra
Ms. Rama Halder
..for the State**

**Mr. Mihir Kundu
Mr. Amit Roy
..for the respdt.8**

The petitioner is a resident of Gobindapur Gram Panchayat. He has made certain allegations against the respondent no.8 i.e. Pradhan of Gobindapur Gram Panchayat, with regard to non implementation of the schemes and projects under MGNREGA, especially the 100 days work.

On the same facts and with similar prayers, another Public Interest Application is pending before the Hon'ble Division Bench presided over by the Hon'ble Chief Justice.

Learned advocate for the State respondents produces a report prepared by the Block Development Officer which indicates that 102 out of 118 projects are still going on.

Mr. Kundu, learned advocate for the respondent no.8 produces a copy of the writ petition.

Upon perusal of the averments in the writ petition, this Court finds that the contents of paragraph 4 to 7 of the said writ petition and the prayers made thereunder are same and identical to the prayers and pleadings in this writ petition.

This Court is of the view that when the Hon'ble Division Bench is in seisin of the matter and the Public Interest Litigation is before Their Lordships on similar facts and similar questions, the grievance of the petitioner may also be agitated and decided by the Hon'ble Division Bench.

This writ petition is disposed of as the same is entirely a Public Interest Litigation.

This order will not preclude the petitioner from taking appropriate steps in the pending Public Interest Litigation arising out of self same cause of action, in accordance with law.

This writ petition is disposed of. The court has not expressed any opinion on the merits of the claim of the petitioner.

There will be, however, no order as to costs.

All parties are directed to act server copy of this order.

(Shampa Sarkar, J.)