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28.03.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 1467 of 2024

Kingshuk Mallik
Vs.
The State of West Bengal & Ors.

Mr. Rahul Sarkar,
Ms. Dipika Sarkar,
Ms. Casurina Chatterjee
... for the petitioner

Mr. Amal Kumar Sen, Ld. A.G.P.,
Mr. Lal Mohan Basu
...for the State

Mr. Shibaji Kumar Das,
Mr. Dipendu Sarkar
...for the respondent no. 7

1. Certain allegations are made by the writ petitioner, who is the member of the Chakdaha Panchayat Samiti, against the private respondents, who are the Pradhan and Secretary of the Hingnara Gram Panchayat respectively.

2. It is contended that the private respondents have filed complaints against each other. However, when the representation was made to the Block Development Officer, Chakdaha Development Block, Nadia, it is argued that the said Block Development Officer did not take any steps on the issue.

3. The contentions raised by the petitioner are denied by learned counsel for the private respondents.

4. In view of the innocuous nature of the prayer, however, affidavits are not being directed and it is deemed that none of the allegations made in the writ petition are admitted by any of the respondents.

5. The purpose of justice would be sub-served if the Block Development Officer, that is, the respondent no. 4, looks into the issue, upon an enquiry, if necessary, and upon giving opportunity of hearing to all concerned, including the petitioner and the private respondents.

6. Accordingly, W.P.A. No. 1467 of 2024 is disposed of by directing the respondent no. 4, that is, the Block Development Officer, Chakdaha Development Block, Nadia, to consider the representation of the petitioner, annexed at page 45 of the writ petition, upon conducting an enquiry into the issue and upon giving opportunity of hearing to all the concerned parties, including the petitioner and the private respondents and, thereafter, to take a decision in accordance with law upon completion of such enquiry and hearing.

7. The entire process shall be concluded by the respondent no. 4 within two months from date and

appropriate action shall be taken thereafter consequent to the outcome of the said enquiry and hearing.

8. There will be no order as to costs.

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

(Sabyasachi Bhattacharyya, J.)