

22.02.2024

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PG/KS
Ct. No.1

W.P.A.(P) 53 of 2024

**Haider Ali Biswas
Versus
The State of West Bengal & Ors.**

Sk. Abumusa
Mr. Sirajul Haque Mondal
.....for the petitioner

Mr. Amal Kumar Sen
Mr. Lal Mohan Basu
.....for the State

Mr. Soumak Bera
.....for the respondent nos.8 & 9

1. This public interest litigation has been filed alleging that the private respondents have falsely represented that they belong to O.B.C. community and obtained certificates.
2. The petitioner has submitted a representation to the Sub-Divisional Officer on 17th October, 2023 and since, no action was taken, the petitioner has approached this Court. The petitioner places reliance upon the voters list to support his case that both the private respondents viz., the respondent nos.8 and 9 do not belong to O.B.C. community.
3. The issue being a disputed question of fact, cannot be adjudicated in a writ petition. Nevertheless, since a representation has already been given to the respondent no.6, we direct the 6th respondent to

enquire into the matter, issue notice to the respondent nos.8 and 9 and examine the matter and take a decision in accordance with law.

4. This direction be complied with within a period of six weeks from the date of receipt of server copy of this order.
5. With the above directions, the writ petition stands disposed of.
6. No costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)