

01.08.2024
Item No. 19
PG/RP
Ct. No.1

W.P.A. (P) 285 of 2024

**Swapan Guha & Ors.
Versus
State of West Bengal & Ors.**

Mr. Dyutiman Banerjee
Mr. Vishal Mallick.....for the petitioners

Mr. Anirban Ray, Ld. GP
Mr. Sk. Md. Galib
Mr. Kapil Guha.....for the State

1. The writ petitioners, one of whom is an elected member of the panchayat alleges that the Pradhan of Dharmadah-3 Gram Panchayat, Nakashipara, Nadia has committed certain illegalities in the matter of award of tender.
2. If one of the petitioners is an elected member of the very same panchayat, we fail to understand as to why this Court should come to his assistance or consider his prayer to take action against the 8th respondent, the present Pradhan. It is well open to the elected person to invoke the powers under the provisions of the Panchayat Act or to seek for other legal remedies available in law.
3. Hence, this public interest litigation cannot be entertained and the same is dismissed.
4. No costs.

5. 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.)