

07.11.2024
Item Nos.09
RP/AN
Ct. No.1

WPA(P) 395 of 2024
With
IA No.CAN 1 of 2024
CAN 2 of 2024

Suman Kumar Sikder
Vs.
Union of India & Ors.

Mr. Atarup Banerjee
Mr. Mahim Sasmal
.....For the Petitioner
Mr. Rajdeep Mazumder, Ld. DSGI
Mr. Moyukh Mukherjee
.....For UOI
Mr. Jaydip Kar, Sr. Adv.
Mr. Naba Kumar Das
Mr. Suman Singh
.....For Respondent No.6
Mr. Sakya Sen, Sr. Adv.
Mr. Amritam Mandal
Ms. Swati Agarwal
Mr. Satrajeen Sen
Ms. Shipra Naskar
.....For Respondent No.13
Ms. Sreemoyee Mitra
Mr. Kapil Guha
.....For Respondent No.27
Mr. Sayak Ranjan Ganguly
Ms. Srijani Ghosh
Ms. Indrani Majumder
.....For Respondent No.29
Mr. D. Datta
Mr. Subhajit Chowdhury
.....For Bank of Baroda

1. The petitioner alleges certain irregularities in the matter of disbursal of funds for the purpose of construction of houses within the jurisdiction of Mal Municipality. Submissions have been made by the learned advocates for the parties including the submissions advanced on behalf of the respondent/municipality with regard to

maintainability of the writ petition and also alleging that the writ petitioner has come to Court with unclean hands inasmuch as documents which have been annexed to the writ petition are tampered and manufactured documents. However, we do not wish to go into such allegation nor take note of any of the averments set out in the writ petition for the reason that the representation given by the petitioner through his advocate dated 9th August, 2024 has already been acted upon and the Principal Secretary, Urban Development and Municipal Affairs Department, Government of West Bengal has taken cognizance of the allegations made and certain steps have been taken by the authority..

2. Further, the learned advocate appearing for the Principal Secretary, Urban Development and Municipal Affairs Department would submit that special audit has also been directed to be conducted and for which the Department has addressed the Finance Department and shortly appropriate directions will be issued.
3. Considering the development, which have been taken place, there will be a direction upon the Principal Secretary, Urban Development and Municipal Affairs Department, Government of West Bengal to send a reply to the petitioner informing him as to the steps taken pursuant to the representation dated 9th August, 2024. The Department, namely, Urban Development

and Municipal Affairs Department, Government of West Bengal and the Finance Department, Government of West Bengal are directed to proceed with the matter and a special audit shall be conducted and necessary verifications be made in accordance with law. It is made clear that such enquiry/investigation shall be done in an independent manner uninfluenced by any averments set out in the writ petition.

4. The authority shall make an endeavour to conclude the investigation/enquiry as expeditiously as possible, preferably within a period of three months from the date of receipt of the server copy of this order.
5. With the aforesaid direction, this writ petition is disposed of.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)