

03.07.2025
Sl. No. 1
D/L.
Ct.No.39.
ab

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

WPA 2764 of 2025

**Debabrata Mandal
Vs.
The State of West Bengal & Ors.**

Mr. Udaynarayan Betal,
Mr. Mriganka Patra

...for the petitioner

Mr. Ansar Mandal,
Mr. Tanweer J. Mandal

...for the State-respondents.

The matter is appearing under the heading "*To Be Mentioned*",

This writ petition has been filed for cancelling and/or rescinding and/or withdrawal of the enquiry report at page 52 of the writ petition submitted by the District Panchayat and Rural Development Officer, Nadia, respondent no. 5.

The petitioner contends that his father was appointed as Executive Assistant in Badkulla II Gram Panchayet and died-in harness on 18th September, 2009. Upon demise of his father, the petitioner applied for his appointment on compassionate ground on 6th January, 2010. However, the same was rejected on 27th April, 2023 on the ground that there is no need for immediate financial assistance as per the "*Three-Men*" Committee report. Challenging such report, the

petitioner filed a writ petition being WPA 20794 of 2023. The said writ petition was disposed of granting liberty to the petitioner to file writ petition afresh challenging the enquiry report as well as all consequential steps taken by the State. Hence, this writ petition.

Mr. Udaynarayan Betal, learned Advocate appearing for the writ petitioner submits that the enquiry report is not acceptable for the following reasons. *Firstly*, the enquiry report is undated. *Secondly*, in the enquiry report, the vehicle being No.WB 28-2093 is mentioned as a four wheeler vehicle, whereas from the document of registration certificate status downloaded from *Vahan* Website shows that the said vehicle is a scooter and not a four wheeler. *Thirdly*, vehicle does not stand in the name of the petitioner. *Fourthly*, the income from landed property as noted in the enquiry report to be Rs.3,000/- yearly is without any basis. He seeks for quashing of the enquiry report and all consequential steps taken by the State particularly letter dated 27th April, 2023 of Assistant Secretary, Panchayat & Rural Development Department, Government of West Bengal, rejecting the prayer of the petitioner for compassionate appointment on the basis of such enquiry report.

Mr. Tanwaar J. Mandal, learned advocate for the State submits that upon thorough enquiry, it has come to the knowledge of the State authorities that the earlier “*Three-Men*” Committee report had certain discrepancies

and that a fresh enquiry by “*Three-Men*” Committee is under process and the report is awaiting. He files a report furnished by respondent no. 5 dated 2nd July, 2025, which is taken on record.

It is found from the said report that for the reason of certain discrepancies, the earlier report of “*Three-Men*” Committee has been found to be questionable. It has also been noted therein that a fresh enquiry by “*Three-Men*” Committee is under process.

In view of the above, the enquiry report at page 52 of the writ petition submitted by the District Panchayat and Rural Development Officer, Nadia, respondent no. 5 along with the letter dated 27th April, 2023 (Annexure P-12) issued by the Assistant Secretary to the Government of West Bengal, Panchayat & Rural Development Department, rejecting the prayer of the petitioner for compassionate appointment stands quashed.

The respondent no. 5, District Panchayat and Rural Development Officer, Nadia is directed to take steps for conclusion of enquiry by “*Three-Men*” Committee afresh in accordance with law within a period of six weeks from the date of communication of this order. The State authorities shall take appropriate consequential steps upon filing of the report by “*Three-Men*” Committee within a period of two months from the date of filing of such report.

The respondent no. 5, District Panchayat and Rural Development Officer, Nadia shall communicate its

decision to the petitioner immediately after filing of such report.

Learned advocate for the petitioner is directed to communicate this order to the respondent no. 5, District Panchayat and Rural Development Officer, Nadia for necessary compliance.

With the above directions, the writ petition being **WPA 2764 of 2025** stands disposed of.

All connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

Urgent photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)