

21.05.2025
Sl. No. 194.
D/L.
Mithun
Ct.No.39.

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

WPA 10653 of 2024

**Atanu Bandhyopadhyay.
Vs.
The State of West Bengal & Ors.**

Mr. Rahul Kumar Singh,
Mr. Subhjit Das,
Ms. Utsa Podder,
Ms. Anusmita Bhattacharya

...for the petitioner

Mr. Samiran Mandal,
Mr. Abhinaba Dan,
Mr. Nitish Samanta

...for respondent no.6

Ms. Sonal Sinha,
Mr. Avishek Prasad

...for the State.

Report in the form of affidavit filed by respondent No.6, Pradhan, Sripur Balagarh Gram Panchayat is taken on record.

This writ petition is filed seeking direction upon the respondent no.6, Pradhan, Sripur Balagarh Gram Panchayat for allowing the petitioner to sign in the attendance register and also seeking direction upon respondent authorities to extend the benefit of memorandum being Memo No.9008-F(P) dated 16th September, 2011 to the petitioner.

The petitioner contends that he was engaged as a 'Sahayak' under Sripur Balagarh Gram Panchayat since February, 2010 and has rendered for more than 240 days of service on each calendar year which will be

evident from the attendance register. However, recently the petitioner has been restrained by the local Gram Panchayat from signing the attendance register and at the same time, the benefits under memo dated 16th September, 2011 has also not been extended to the petitioner. Hence, this writ petition.

Mr. Samiran Mandal, learned Advocate appearing for respondent no.6, Prodhan of the local Gram Panchayat submits that the petitioner himself has not attended the office. However, the local Gram Panchayat has no objection if the petitioner intends to join.

In view of such submission, the petitioner is permitted to join in his post as '*Panchayat Sahayak*' forthwith. In the event of joining of the petitioner, the local Gram Panchayat shall allow the petitioner to put his signature in the attendance register.

So far as the extension of the benefits under memo dated 16th September, 2011 is concerned, learned Advocate for the State submits that since the representation is pending before the District Panchayat & Rural Development Officer, the matter may be relegated to the District Panchayat & Rural Development Officer for due consideration.

Learned Advocate for the petitioner also submits that a comprehensive representation has been made by the petitioner before the concerned authorities on 24th January, 2024, seeking extension of benefits under memo dated 16th September, 2011 in his favour. Such

representation may be sent to the concerned authorities for consideration.

Accordingly, respondent No.3, the District Panchayat & Rural Development Officer, Hooghly is directed to take appropriate steps in respect of the representation of the petitioner dated 24th January, 2024 within a period of four weeks from date of communication of this order.

Learned Advocate for the petitioner is directed to communicate this order to respondent no.3, District Panchayat & Rural Development Officer, Hooghly for necessary compliance.

With the above observation, the writ petition being **WPA 10653 of 2024** stands disposed of.

All connected applications, if any, stand disposed of.

There will be, however, no order as to costs.

Interim order, if any, stands vacated.

Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.

All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Bivas Pattanayak, J.)