

17.02.2025
Sl. No. 179.
D/L.
Mithun
Ct.No.39.

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

WPA 12036 of 2023

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

Mr. Tanmay Basu,
Mr. Ambika Sasmal,
Mr. Subhajyoti Halder

...for the petitioner

Mr. Lalit Mohan Mahata, Id. A.G.P.,
Md. Ahsanuz Zaman

...for the State

This writ petition has been filed alleging that the construction of the building over the land of one Tapan Mondal, private respondent no.9, was made for the purpose of running ICDS Centre. However, after completion of work of construction of the building, the same has been used for a private purpose. The writ petitioner prays for starting of the service under ICDS scheme within the village-Ujirpur, Malda with immediate effect.

Mr. Tanmay Basu, learned Advocate for the petitioner submits that the respondent no.9 being related to the Pradhan is acting highhandedly and causing obstruction to the use of the said building as an ICDS Centre. He seeks for appropriate order for

initiating the ICDS Centre in the village of Ujirpur Malda forthwith.

Report in the form of affidavit filed by the State-respondents is taken on record.

Mr. Lalit Mohan Mahata, learned Additional Government Pleader submits that the key of the building in question has been handed over to CDPO, Kaliachak-III Block, Malda by the Programme Officer and Block Development Officer, Kaliachak-III Development Block, Malda vide a letter dated 13th October, 2023. Thus nothing remains to be decided in the writ petition.

Upon perusal of the report filed by the State-respondents and the letter under memo No.083/MGNREGS/K-III-23 dated 13th October, 2023 of the Programme Officer and Block Development Officer, Kaliachak-III Development Block, Malda (Annexure A/1), it is found that the CDPO, Kaliachak-III, Block- Malda who is the Running Officer of the ICDS Project has been instructed to take the key (Key No. C.03, three nos. of key) of the Anganwadi Centre in front of Ujirpur Primary School at Ujirpur village under Akandabaria Gram Panchayat.

Such being the position, the writ petition is disposed of directing respondent no.5, the Block Development Officer, Kaliachak-III Block, Malda and respondent no.7, the District Project Officer, ICDS, Malda to monitor that the building-in-question is used for the purpose of ICDS Centre only and not otherwise,

except with the permission of the concerned Department of the Government of West Bengal.

With the aforesaid observations, the writ petition being **WPA 12036 of 2023** 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.

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.)