

04.07.2025
Sl. No.31(DL)
Ct. No.42
srm

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

W.P.A. No. 13570 of 2025

Latika Mondal

Versus

The State of West Bengal & Ors.

Md. Sarwar Jahan,
Mr. Sayanti Hazra,
Ms. Tapati Sarkar

...for the Petitioner.

Mr. Lalit Mohan Mahata, AGP
Mr. Ziaul Haque

...for the State-respondents.

Mr. Ziaul Haque

...for the Respondent No.8.

Affidavit-of-service filed on behalf of the
petitioner is taken on record.

This writ petition is filed seeking direction upon
the respondent authorities to cancel, rescind and
withdraw the two eNIT(s) being Nos.Malda/MCK/
DGP/02/2025-26 and Malda/MCK/DGP/03/2025-26
dated 02.06.2025 respectively.

Md. Sarwar Jahan, learned Advocate for the
petitioner submits that previously e-tender was floated
for construction of 100 leachpit from the SBM fund,
however only 20 has been constructed. Despite
objection being raised by the petitioner being the
member of the Dharampur Gram Panchayat, again the
Pradhan is trying to float tender for 100 leachpit.

Previously, leachpits that were constructed were not up to the mark. There has been defalcation of funds received from the Central Government. Complaints were lodged before respondent no.6, Block Development Officer, Manikchak Block on 3rd June, 2025 as well as before respondent no.3, District Magistrate, Malda on 9th June, 2025 and 11th June, 2025 alleging of such illegal activities being undertaken by the Pradhan of Dharampur Gram Panchayat. Since no steps have been taken, the petitioner being the member of the Dharampur Gram Panchayat has approached this Court for appropriate relief. He seeks that the complaints lodged before respondent no.3, District Magistrate, Malda on 9th June, 2025 and 11th June, 2025 respectively by the petitioner along with other members be enquired by him.

Mr. Lalit Mohan Mahata, learned Additional Government Pleader appearing for the State submits that the complaints lodged by the petitioner are only in the month of June, 2025. No other members excepting the petitioner raised objection. However, he submits that the complaints of the petitioner be relegated to the District Magistrate, Malda to hold proper enquiry.

Mr. Ziaul Haque, learned Advocate representing the respondent No.8, Pradhan, Dharampur Gram Panchayat submits that the decision has been taken in the meeting of the gram panchayat and the petitioner

is the only member who has raised objection and not the other members.

Having heard the learned Advocates for the respective parties, the writ petition is disposed of directing the respondent No.3, District Magistrate, Malda to cause enquiry and pass a reasoned order with respect to the contention raised by the petitioner along with three other members in their letters dated 9th June, 2025 and 11th June, 2025 respectively within a period of two months from the date of communication of this order upon notice to all interested parties including the petitioner in accordance with law.

The reasoned order shall be communicated to the petitioner within a week of passing such order

Learned advocate for the petitioner is directed to communicate this order to respondent no.3, District Magistrate, Malda for necessary compliance.

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

It is made clear that this Court has not gone into the merits of the writ petition.

With the aforesaid directions, the writ petition being **WPA 13570 of 2025** is disposed of.

Interim order, if any, stands vacated.

All connected applications, if any, stand disposed of.

There shall be no order as to costs.

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

(Bivas Pattanayak, J.)