

12.02.2025
Item No.5
gd/ssd

FMA/1176/2024
UJJAL ROY AND ORS.
VS
STATE OF WEST BENGAL AND ORS.
IA NO: CAN/1/2024

Mr. Sufi Kamal,
Ms. Shireen Hossain
..for the Appellants.

Mr. Jayanta Samanta,
Ms. Rajyashree Mukherjee
..for the State.

1. This intra court appeal is directed against the order dated 31st July, 2024 in WPA 1420 of 2013.

2. The appellant/writ petitioners sought for a direction upon the respondent authorities to enlist their names as Scheduled Tribe category.

3. The writ petition was dismissed by the impugned order.

4. Before us when the appeal was heard earlier, the contention advanced by the learned advocate for the appellants that no field enquiry was conducted and arbitrarily their prayer was negated.

5. In order to satisfy ourselves as to whether at all a field enquiry was conducted before rejecting the claim of the appellant/writ petitioners, we directed the relevant records be placed.

6. Accordingly, the Additional Secretary (Law) to the Government of West Bengal has addressed the Sub-Divisional Officer, Chanchal, Malda enclosing the

copy of the enquiry report drawn by the Director, Cultural Research Institute vide Memo No.390/CRI dated 13.5.2004.

7. From the report it is seen that a detailed enquiry has been conducted.

8. Apart from that, the Block Development Officer, Ratua-I Development Block, Malda has also conducted a field enquiry and a report has been drawn on 3.7.2008.

9. Therefore, it is not a case where the authorities mechanically rejected the claim but it has after thorough field enquiry.

10. Therefore, we find no ground to interfere with the order passed by the learned Single Bench.

11. Accordingly, the appeal fails and the same is dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)