

21.02.2025
Sl. No.66
as

**RVW 292 of 2024
(CAN 1 of 2024)**

[Jayanta Nath Roy -Vs- The State of West Bengal & Ors.]

Mr. Sobhan Majumder
... .. for the applicant

Mr. Swapan Banerjee, Ld. AGP,
Mr. Soumen Chatterjee.
... for the State

1. Petitioner has taken out the review application, inter alia, on the ground the Government's stance that Panchayat has been debarred from engaging technical person under MGNREGA scheme is incorrect. In fact, advertisements have been issued by the Panchayat for appointment under the said scheme.
2. It is also submitted the other ground with regard to paucity of funds is squarely unfounded. Salaries of individuals employed under the said scheme are being disbursed.
3. Additional Government Pleader opposes the prayer. He submits no advertisement for filling up the post which relates to the petitioner has been published.
4. We have considered the materials on record. Petitioner was temporarily engaged under MGNREGA scheme. Upon being arrested on allegations of defalcation, his temporary appointment was terminated. He was acquitted of the charge and prayed for appointment. His writ petition was dismissed. This Court dismissed the appeal too.

5. Presently, petitioner seeks review of the order on the ground advertisement has been issued by Panchayat for appointment under the MGNREGA scheme. Nothing is placed on record that advertisement has been issued to fill up the post which was earlier held by the petitioner.

6. Under such circumstances, we are of the opinion no case for review is made out. It is clarified in the event the said post under the MGNREGA scheme is advertised, it shall be open to the petitioner to participate in the selection process, if he is otherwise eligible to do so.

7. With this observation, the review petition and connected application are disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)