

02.01.2025
Item No.4
PG/KS
Ct. No.1

W.P.A.(P) 418 of 2024

**Abdul Kader Sardar & Ors.
Vs.
State of West Bengal & Ors.**

Mr. Mohinoor Rahaman
Ms. Iqra Rahaman

.....For the Petitioners

Mr. Lalit Mohan Mahata, Ld. A.G.P.
Mr. Jiaul Haque

.....For the State

Mr. Biswabrata Basu Mallick
Mr. Amman Arif Ansari

.....For the Respondent Nos.6 & 7

1. The 1st petitioner amongst the eight petitioners, is an elected member of the 7th respondent/Panchayat and stated to be the Leader of the Opposition.
2. The allegation is that certain works awarded to the private respondents were not completed by the private respondents but documents were prepared and certificates were issued, as if the works have been completed to the satisfaction of the Panchayat.
3. It is not clear as to why the 1st writ petitioner should approach this Court, more so, when he is an elected member of the Panchayat and the Leader of the Opposition and it will be well within his jurisdiction to raise the issue in the Panchayat meeting or in the Gram Sabha. Nonetheless, since public money is involved, without going into the allegations made by the petitioners against the

private respondents as well as the Pradhan of the Panchayat, we direct the Block Development Officer and Executive Officer, Basirhat – I to conduct a fresh inspection and examine as to whether the works entrusted to the private respondents had been completed to the satisfaction of the authorities. Needless to mention that before such inspection, notice shall be issued to the 1st petitioner and the private respondents as well as the contractors to whom the works were entrusted.

4. This direction be complied with within a period of twelve weeks from the date of receipt of server copy of this order.
5. With the above observations/directions, writ petition is disposed of.
6. No costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)