

09.04.2025

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WPA 28679 of 2024
Hafija Bibi & Others
– *Versus* –
The State of West Bengal & Others

Ms. Shabana Hasin,
Ms. Samima Akter
... for the Petitioners.

Mr. S. Chattopadhyay,
Mr. S. Mondal,
Mr. Manoj Kumar Mondal
... for the State/Respondents.

Mr. ManGolam Mastafa,
Mr. T. S. Samanta,
Mr. K. A. Iqbal
... for the Private Respondent nos.9 to 17.

Affidavit-of-service filed today be kept with the
record.

The petitioners are aggrieved by non-consideration of their representations dated September 30, 2024 made to the respondent no.5 (at pages 51 – 55 of the writ petition). The petitioners submit that they are the members of the group that has been selected for and awarded/assigned the job of carrying out the Cooked Mid Day Meal Process (for working and serving meal to the students) by way of an Engagement Order bearing Memo No.1977(5) dated August 23, 2011 issued by the Block Development Officer, Jalangi Murshidabad. The petitioners complain that despite the said Engagement Order issued by the respondent no.5 clearly providing that the members of the group

(which has been selected for the purpose of carrying out the Cooked Mid-Day-Meal process) would be offered the job of cooking and the like involved in such process on rotation basis, they are being deprived of their opportunity to earn a living inasmuch as they are not getting the chance to participate in the Cooked Mid-Day-Meal process. It is submitted that despite the mandate being such that each of the members gets an opportunity on rotation basis, the same is not being followed.

The learned advocate appearing for the Private Respondents submits that the private respondents are working in terms of the order passed by this Court on January 08, 2024 in WPA 20048 of 2023 [Shantana Mondal & Others -Vs.- The State of West Bengal & Ors.].

The learned advocate appearing for the State/respondents submits that the respondent no.5 shall consider and dispose of the representations made by the petitioners in accordance with law.

This Court has gone through the order dated January 08, 2024 whereby the respondent authority concerned had been directed to dispose of the representation made by the writ petitioners therein in accordance with law by passing a reasoned and speaking order after giving an opportunity of hearing

to the petitioners therein or their authorized representatives within a specified time frame.

Since the petitioners, who are now before this Court, have come up with a grievance that they are not getting their chance to work and earn by cooking and serving meals to students despite being part of the selected group on rotation basis in terms of the Engagement Order dated August 23, 2011 and that representations made by them before the respondent no.5 have been pending consideration since long, this Court is of the view that the writ petition should be disposed of by directing the respondent no.5 to dispose of the representations dated September 30, 2024 made by the petitioners by passing a reasoned order upon giving an opportunity of hearing to the petitioners or their authorized representatives within a period of three weeks from the date of communication of this order.

The respondent no.5 shall communicate the reasoned order to the petitioners forthwith and mandatorily within a period of one week from passing of the said order. The entire exercise as aforesaid should be completed within a period of four weeks from the date of communication of this order.

With the aforesaid observation, WPA 28679 of 2024 is disposed of.

Since no affidavits have been invited, the allegations made in the writ petition would be deemed not to have been admitted by the respondents.

There shall, however, be no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

(Om Narayan Rai, J.)