

29.01.2026
Item No.24
Ct. No.1
KS

W.P.A. (P) 558 of 2025
Md. Golam Rosul & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Usof Ali Dewan
Mr. Asif Dewan
Mr. Mehedi Masud

.....For the Petitioners

Mr. Mrityunjy Chatterjee

.....For the Respondent No.7

PER, PARTHA SARATHI SEN, J.:

1. The writ petitioners and the private respondent no.7 are represented by their respective learned counsels.
2. By filing the instant writ petition, the writ petitioners have prayed for issuance of appropriate Writ/Writs against the respondent authorities, more specifically against the respondent nos.2 to 4 authorities to enquire into the matter in terms of the representation dated 28.11.2025 as has been annexed at page 20 of the instant writ petition (Annexure – 'P3').
3. At the time of hearing, learned counsel for the writ petitioners, at the very outset, draws our attention to page no.20 and 21 of the instant writ petition being a copy of the said representation dated 28.11.2025. It is submitted that under cover of the said representation dated 28.11.2025 it has been specifically brought to the notice of the respondent nos.2 to 4 authorities that in terms of NIT No.04/EN/SPS/2025-2026 certain civil

works viz. renovation of conference hall at Block Premises of Sagardighi Development Block and renovation of Election Cell and MGNREGA Section of Sagardighi Panchayat Samity under 5th SFC were given to private respondents but the private respondents did not execute the said two works in accordance with NIT dated 30.04.2025 and thus misappropriation of public money took place.

4. It is submitted that despite receipt of such representation, the respondent authorities did not take any steps whatsoever and practically sat tight over the matter.
5. It is, thus, submitted that it is a fit case for issuance of appropriate relief/reliefs against the respondent authorities, more specifically, against the respondent no.2 authority in terms of prayers made in the instant writ petition. Learned counsel appearing on behalf of the respondent no.7, however, opposes such prayer.
6. It is submitted that no materials have been placed before us to substantiate at least prima facie that the civil works have not been done in terms of the specification of the said NIT dated 30.04.2025.
7. On careful perusal of the entire materials on record, as placed before us and after hearing the learned advocates for the contending parties, it appears to us that justice

would be sub-served if we direct the respondent no.2 authority to consider the representation dated 28.11.2025.

8. In doing so and while disposing the instant writ petition, we direct the District Magistrate, Murshidabad to consider the representation dated 28.11.2025, as submitted before him and as has been annexed with the instant writ petition at page 20 and 21 and after obtaining necessary reports from the competent authority and after giving due chance of hearing to the writ petitioners as well as to the private respondents and/or their authorized representatives, shall pass a reasoned order and shall forthwith communicate the same to the writ petitioners, private respondents and/or any other stake holders, if there be any.
9. It is, however, made clear that in the event, while passing the reasoned order, the respondent no.2 authority i.e. the District Magistrate, Murshidabad if finds sufficient merit in the representation dated 28.11.2025 as submitted before him, he shall take all consequential action soon thereafter.
10. The entire exercise, as indicated in the foregoing paragraphs, shall have to be completed within 60 working days from the date of receipt of server copy of this order.

11. Liberty is given to the learned advocate on record for the petitioners to communicate the server copy of this order to the respondent no.2 and is directed to act on the server copy of this order.
12. The time limit, as fixed by this Court, is peremptory and mandatory.
13. With the aforementioned observation, W.P.A. (P) 558 of 2025 is disposed of.
14. Before parting with, it is, however, made clear that in the event, while disposing the instant writ petition, we have not gone into the merits of the representation dated 28.11.2025 and thus, all points are kept open before the respondent authority i.e. District Magistrate, Murshidabad.
15. Since affidavits have not been exchanged in connection with the instant writ petition, the allegations as levelled against the private respondents are deemed to have been denied.
16. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)