

28.08.2026
Item No.17
Court No.01
KCP

WPA(P) 416 of 2026

**Suraj Sk
- Versus -
The State of West Bengal & Ors.**

Mr. Omar Faruk Gazi
Mr. Imtiaz Akhtar
Mr. Pratikur Rahman
.... For the petitioner

Mr. D. N. Ray, Ld. G.P.
Mr. Guddu Singh
Mr. Sourav Halder
.... For the State respondents

Affidavit-of-service, as filed, be kept on record.

The present Public Interest Litigation (in short, PIL) has been preferred primarily praying for issuance of necessary direction upon the respondents particularly the competent authority under the Government Disability Allowance Scheme *‘to conduct a fair, impartial, independent, comprehensive and time-bound inquiry into the identification, medical assessment, verification, selection, sanction and disbursement of disability allowance to the beneficiaries within the concerned Samserganj Gram Panchayat/Block area’*.

Mr. Gazi, learned advocate appearing for the petitioner submits that Government funds earmarked for genuinely eligible persons with disabilities have been fraudulently obtained by others having no lawful entitlement and have been utilized for purposes unrelated to the object of the West Bengal Disability Pension Scheme, 2010 (in short, the said scheme).

He contends that the respondent no.9 herein is a member of the Samserganj Panchayat Samity and taking advantage of the public office, he had been instrumental towards wrongful utilization of the fund under the said scheme and that 15 persons associated with the respondent no.9 had been his accomplices. The details of persons, who had been the illegal beneficiaries, have been detailed in paragraph 11 of the writ petition. In the said conspectus, the petitioner, who is a public spirited person, has preferred the present writ petition.

Mr. Ray, learned Government Pleader appearing for the State authorities submits that on the basis of the complaint lodged, an enquiry was conducted regarding the beneficiaries receiving financial assistance under the pension scheme. Upon such enquiry, the beneficiaries were identified and Samsherganj PS case no.613/2026 dated 5th July, 2026 under section 318(4)/336(2)/336(3)/340(2)/3(5) BNS was registered. In course of investigation, notices have been issued to several persons accused under Section 35(3) of BNSS, statements of witnesses were recorded and expeditious steps are being taken towards conclusion of such investigation. In support of such contention, Mr. Ray has placed before this Court a report submitted by the I.C., Samserganj Police Station, Jangipur Police District wherefrom it also appears that the investigating authority has found 13 certificates out of 15 certificates

to be fake. Let the report, as produced, be kept on record.

Heard the learned advocates appearing for the respective parties and considered the materials on record.

The primary grievance of the petitioner is that Government funds earmarked for genuinely eligible persons with disabilities have been wrongfully obtained by different persons who are not even entitled to under this scheme. Such fact was brought to the notice of the State authorities and it appears that on the basis of the complaint lodged, Samsherganj PS case no.613/2026 dated 5th July, 2026 has already been registered and investigation is in progress. In the said conspectus, the allegations levelled by the petitioner in the writ petition cannot be ruled out.

In view thereof, the writ petition is disposed of directing the State respondents, particularly the investigating authority to complete the investigation in the Samsherganj PS case no.613/2026 dated 5th July, 2026 as expeditiously as possible to book the wrongdoers.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Atarup Banerjee, J.) (Tapabrata Chakraborty, A.C.J.)