

Sant Bux Singh Vs.

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Court : Kolkata

Decided On : Oct-01-2010

Judge : Mr. Ashim Kumar Roy, J.

Appeal No. : WP No. 561 of 2010

Appellant : Sant Bux Singh

Respondent : Kolkata Municipal Corporation and ors.

Advocate for Def. : Mr. L.C.Behani, Sr ; Mr. A.Lahiri, Adv.

Advocate for Pet/Ap. : Mr. D.Agarwal, Adv.

Judgement :

THE COURT : Counsel for the Respondent-Kolkata Municipal Corporation today files a supplementary report. Let copies of the same be furnished to the counsel for the petitioner and the other appearing respondents.

It is submitted that the Municipal Corporation is scrutinizing the cases in terms of the directions issued by this Court and the whole exercise would take some time. Let the matter be listed after Puja vacation.

Learned counsel for the petitioner submits that the respondent Municipal Corporation has initiated steps in the matter but it is not upto the expectation and there has not been compliance yet with the orders passed by this Court. It is also submitted that the method adopted by the Municipal Corporation is not satisfactory

and the Court should pass further orders giving directions to the Municipal Corporation to initiate criminal proceedings at least against the persons who have been found responsible for disbursing money regarding age-old pension against persons who have been long dead. Needless to say that the Commissioner of the Municipal Corporation and so also the State through its Home Department would give priority to such category of cases.

Learned counsel appearing for the respondent No.4 submits that if this Court makes any observation, the same may cause prejudice to his client Respondent No.4 who has already been facing a criminal case on a complaint filed by one Raj Kumar Khate. We do not think that respondent No.4 would be prejudiced in any manner if this Court directs the respondent Corporation to initiate action against persons who have credited pension against senior citizens who are already dead and, therefore, the contention of the respondent No.4 that he would be prejudiced by such observation is meaningless.

In order to enable the Corporation to complete exercise of identifying persons who are involved in misappropriation of funds through such dubious means and to bring the same to the notice of this Court, we adjourn the matter till 26th November, 2010. In the meantime the petitioner may file Affidavit-in-Reply dealing with the Report and Supplementary Report of the Corporation tendered in this Court. Photostat certified copy of this order be made available to the parties upon compliance of usual formalities.

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