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jdt. 20.07.2026
jb.

WPA 16750 of 2026
(Md. Abu Jahed vs. State of West Bengal & Ors.)

Sarwar Jahan
Mr. Sayantan Hazra
Ms. Shalini Sen
Sahina Parvin

.... For the Petitioner

Mr. Rajendra Dutta
Mr. Sudipta Ghosh

.... For the State

Mr. Gangadhar Das
Mr. Joy Laha

.... For the Private Respondents

Learned counsel for the petitioner does not press the prayer b of the application.

The petitioner who is the erstwhile Pradhan of Nawada Jadupur Gram Panchayat submitted applications under Section 11(1)(d) of the West Bengal Panchayat Act, 1973 alongwith two other members before the Prescribed Authority for removal of some members of the Panchayat which were received by the latter on 8th October, 2025 and 7th July, 2026. No step has been taken by the Prescribed Authority pursuant to the said applications till date. The petitioner seeks consideration of the same by the Prescribed Authority. In the meantime, a no confidence motion was submitted against the petitioner by majority of the members of the Panchayat and pursuant to a meeting held on 9th July, 2026 he was removed from the post.

Learned counsel for the private respondents/members submits that opportunity of hearing be granted to these respondents by the Prescribed Authority when the applications are dealt with by the authority.

Learned counsel for the State submits that since the Pradhan has been removed from the post on 9th July, 2026, he has no locus standi to file the present application for consideration of the applications submitted by him under Section 11(1)(d) of the Act.

The applications under Section 11(1)(d) of the Act were submitted by the petitioner and others on 8th October, 2025 and 7th July, 2026. No step has been taken by the Prescribed Authority pursuant to the said applications till date.

Section 11 of the Act of 1973 envisages that the Prescribed Authority may, after giving an opportunity to a member of a Gram Panchayat to show cause against the action proposed to be taken against him, by an order remove him from the office on the contingencies stated in the said provision. Therefore the responsibility of dealing with the issue rests on the Prescribed Authority irrespective of the fact that an application under this provision of law is submitted by either the Pradhan or any of the members of the Panchayat. Subsequent removal of the petitioner from the post of Pradhan shall not render the applications infructuous

primarily on the ground that it is the responsibility of the Prescribed Authority to deal with the same.

It is a fact that no time frame has been prescribed for consideration of applications under Section 11 of the Act. But that does not mean that the Prescribed Authority shall sit tight over the applications for indefinite period of time.

In view of the fact that the applications are pending for long, the Prescribed Authority and the Sub-Divisional Officer, Malda, being the 5th respondent herein, is directed to consider and dispose of the same within four weeks from the date of communication of this order upon granting reasonable opportunity of hearing to all concerned including the petitioner and the private respondents, in accordance with law.

The decision taken by the authority shall be communicated to the parties within a week thereof.

The writ petition is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities

(Suvra Ghosh, J.)