

16
jdt. 27.07.2026
jb.

WPA 18017 of 2026
(Selima Khatun Bibi vs. State of West Bengal & Ors.)

Parvej Anam
Ms. Rituparna Ghosh
.... For the Petitioner

Mr. Indradip Paul
Mr. Argha Chatterjee
.... For the State

Sarwar Jahan
Mr. Anindya Ghosh
Mr. Souvik Das
.... For the Respondent nos. 7 and 16

Affidavit of service filed on behalf of the petitioner is taken on record.

The petitioner who is the Pradhan of Silampur-I Gram Panchayat has assailed the no confidence motion submitted on 9th July, 2026 and notice dated 15th July, 2026 issued by the Prescribed Authority pursuant to the said motion on the ground that a fresh motion has been submitted without the Prescribed Authority cancelling the earlier motion. Also, the meeting has been called without verification of the signatures of the members/requisitionists.

Learned counsel for the private respondents produces documents which demonstrate that by a notice issued on 13th July, 2026, the Prescribed Authority requested the requisitionists to appear before him on 14th July, 2026 for verification of their signatures.

There is no provision in Section 12 of the West Bengal Panchayat Act, 1973 requiring the Prescribed Authority to record his satisfaction with regard to the genuineness of the motion prior to fixing the date of meeting. Issuance of notice by the authority fixing the date of meeting suggests his satisfaction with regard to genuineness of the motion. It is not in dispute that copy of the motion was served upon the petitioner at the Panchayat office and sent to her at her residential address in terms of Section 12(2) of the Act. The entire proceeding conducted by the Prescribed Authority is in conformity with Section 12 of the Act. By an earlier order passed on 8th July, 2026 in WPA 12942 of 2026, this Court set aside/quashed the earlier requisition notices and granted liberty to the members/requisitionists to submit a fresh requisition notice before the Prescribed Authority in terms of Section 12 of the Act.

In view of such order, further quashing/setting aside of the earlier motions by the Prescribed Authority was not required. The subsequent motion has been submitted in terms of the liberty granted by this Court. There is no illegality/irregularity in the proceeding which requires interference by this Court.

The writ petition is devoid of any merit and is accordingly dismissed.

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.)