

16
jdt. 25.08.2026
jb.

WPA 22768 of 2026
(Jiyad Ali Purkait vs. State of West Bengal & Ors.)

Mr. Abhinaba Dan
.... For the Petitioner
Mr. Anup Dasgupta
Ms. Priyanka Shukla
Ms. Sweta Singh
.... For the State
Mr. Pankaj Halder
Mr. Sanatan Panja
.... For the Respondent nos. 9-14

The petitioner who is the Pradhan of Bhagwanpur Gram Panchayat and is presently in custody in connection with FIR no. 368 of 2026 dated 20th July, 2026 has assailed the no confidence motion on the ground that the motion does not comply with Section 12(2) of the West Bengal Panchayat Act, 1973. It appears that in an earlier writ petition being WPA 21499 of 2026 filed by the members of the Panchayat , the notice issued by the Prescribed Authority on 7th August, 2026 fixing the date of meeting on 17th August, 2026 was challenged. One of the learned counsels appearing for the petitioners herein was also appearing for the petitioners in the earlier writ petition. The earlier writ petition was dismissed as infructuous with an observation that the meeting was already held on 17th August, 2026. The petitioner herein was a proforma respondent in the said petition and chose not to participate therein. Despite having reasonable opportunity of placing his contention before the Court

in the earlier writ petition, he chose not to do so. After the meeting was held, he has come up in the present writ petition challenging the entire proceeding.

The petitioner has not disclosed the earlier writ petition in the present writ petition despite the fact that he was a party therein. The subject matter of the earlier writ petition being the notice issued by the Prescribed Authority and the meeting held, has close nexus with the present writ petition and ought to have been disclosed herein, more so, since the same learned counsel appeared in the earlier matter.

In view of such conduct of the petitioner, this Court is inclined to hold that the petitioner has deliberately suppressed the material facts before this Court which has been brought to the notice of the Court by learned counsel appearing for the private respondents. It is trite law that a litigant approaching the Court seeking relief should come before the Court with clean hands. Herein, since the petitioner has not approached the Court with clean hands and has suppressed material facts, he does not deserve any relief in the present matter.

The writ petition is dismissed only on such score.

There shall however, be no order as to costs.

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

(Suvra Ghosh, J.)