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22.04.2021
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 4944 of 2021
(Via Video Conference)

New Garia Development Cooperative
Housing Society Limited & Ors.
Vs.
The Registrar of Co-operative Societies,
West Bengal, Co-operation Directorate & Ors.

Mr. K. K. Pathak,
... For the petitioners.

Mr. Pradeep Kumar Roy,
Ms. Srabani Sarkar,
Mr. Partha Sarathi Pal
... For the State.

Mr. Sunanda Mohan Ghosh
... For the respondent no.4

It is submitted on behalf of the respondent no.4 that in the meeting held on 18th April, 2021, the respondent no.4 was asked by the Society, being the petitioner no.1, to submit certain documents which will be considered for the purpose of deciding whether the respondent no.4 will be accepted as a member of petitioner no.1 or not. It is also submitted by the respondent no.4, that the said respondent had deposited with the petitioner no.1 the requisite papers. The respondent no.4 also says that yesterday (21.04.2021), the respondent no.4 has received a letter from the petitioner no.1, intimating the respondent no.4

that the petitioner no.1 has decided to accept the respondent no.4 as a member. The respondent no.4 further submits that only certain technicalities are required to be complied with. The respondent no.4 shall again visit the office of the respondent no.1 with the original share certificates standing in the name of respondent no.3 from whom respondent no.4 had purchased the property in question.

Considering the submissions of respondent no.4, which is also accepted by the petitioners and the State respondents, I find that there is nothing further to be adjudicated in the writ petition. The writ petition is, thus, disposed of.

It is expected that the petitioner no.1 shall record the transfer in the share certificates standing in the name of the respondent no.3 in favour of respondent no.4 as expeditiously as possible, but not later than three weeks from date.

All parties should cooperate for recording such transfer in the share certificate. It is also made clear that the amicable resolution of the dispute between the petitioners and the respondents no. 3 and 4 shall not be treated as a precedent so far as the petitioner no.1, Co-operative Society is concerned.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties upon compliance with the necessary formalities.

(Arindam Mukherjee, J.)