

Item No.57

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

16.04.2021
Ct-24

W.P.A.9250 of 2021

Basudev Mantri

v

The State of West Bengal & Ors.

Mr. Subir Sanyal

Mr. Supriyo Chattopadhyay

Mr. Samaresh Chandra Dhara

Mr. Sabyasachi Hazra

... for the petitioner.

Mr. Soumik Ganguly

Ms. Sampa Ghosh

... for the respondent nos. 6 to 14.

The petitioner was aggrieved with the notice of meeting on motion for removal of Pradhan which was initially fixed on April 13, 2021.

According to the petitioner the meeting ought not to be held as the Model Code of Conduct did not permit holding of such meeting.

By a communication dated April 12, 2021 the Prescribed Authority has been intimated by the Nandakumar Police Station that due to the election ongoing process adequate police force at the police station is not available and another day may be fixed for conducting the meeting after the election process is over. Relying on the aforesaid communication the Prescribed Authority postponed the meeting scheduled to be held

on 13th April, 2021 and intimated the petitioner that another date will be communicated shortly.

The petitioner does not have any grievance if the meeting is postponed till after the elections are over. The private respondents are aggrieved by the same.

It appears that the Block Development Officer being the Prescribed Authority under the law has already intimated the members that the meeting for removal of Pradhan will be conducted shortly.

Accordingly, the instant writ petition is disposed of by directing the respondent no. 5 being the Prescribed Authority/Block Development Officer, Nandakumar Development Block to take steps for holding of the meeting, strictly in accordance with law, immediately when the police personnel are available for rendering assistance at the time of need.

WPA 9250 of 2021 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

Sh

(**Amrita Sinha, J.**)