

24.08.2021
Sl. No.20
srn

W.P.A. No. 9646 of 2021
Mosa Nilufar Iyasmin
Vs.
The State of West Bengal & Ors.

Mr. Chitta Ranjan Chakraborty,
Mr. Dip Jyoti Chakraborty
...for the Petitioner.
Mr. Joy Chakraborty
...for the Respondents Nos. 6 to 15.
Mr. Sirsanya Bandyopadhyay,
Mr. Arka Nag
...for the State.

The petitioner is the Pradhan of Mothabari Gram Panchayat, District-Malda. It is the contention of the petitioner that the respondent Nos.6 to 15, who are the elected members of the said Gram Panchayat, are liable to be removed for not having paid tax, in terms of Section 11(1)(e) of the West Bengal Panchayat Act, 1973.

Records reveal that individual applications have been filed before the prescribed authority, that is, Sub-Divisional Officer, Sadar, Malda. It is submitted that the said applications have not been disposed of as yet. The said applications were filed on March 18, 2021 but till date no steps have been taken by the prescribed authority.

Under such circumstances, the writ petition is disposed of with a direction upon the prescribed authority to deal with the applications filed by the petitioner in accordance with law.

It is made clear that the petitioner and respondent Nos.6 to 15 will be heard and a reasoned order shall be passed and communicated to all concerned. All the issues including maintainability of the applications shall be decided by the prescribed authority.

The entire exercises shall be completed within a period of eight weeks from the date of communication of this order. This court has not entered into the correctness of the allegations and the maintainability of the applications before the prescribed authority.

The writ petition is, thus, disposed of.

There will be, however, no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)