

S/L 22
04.08.2021
Court. No. 19
GB

W.P.A. 11930 of 2021

Rupa Mukherjee
VS
The State of West Bengal & Ors.

(Through Video Conference)

*Mr. Anjan Bhattacharjee,
Mr. Pritam Choudhury,
Mr. Abhisek Addhya.*

...for the Petitioner.

*Mr. Anirban Ray,
Mr. Raja Saha,
Ms. Tanusri Chanda.*

...for the State.

The writ petition has been filed challenging the notice of removal of the Pradhan dated June 25, 2021. The petitioner is the erstwhile Pradhan of Godardihi Gram Panchayat.

It is the contention of the petitioner that the requisition was not served upon the petitioner. The notice of removal was issued on June 25, 2021, fixing July 8, 2021 as the date of the meeting for removal the Pradhan. The petitioner submits that seven clear days' notice was not given to the petitioner before the meeting was held. It is further submitted that the prescribed authority acted beyond his jurisdiction by issuing the notice dated July 9, 2021, fixing July 16, 2021 and the date for election of a new Pradhan.

Mr. Saha, learned advocate appearing on behalf of the State respondents submits that the petitioner did not raise any objection with regard to the requisition notice. No case has been made out in the writ petition, inter alia, alleging that the requisition notice was not served. Even when the notice of removal of the Pradhan was issued, no challenge was thrown to the same although, ample time was available to the petitioner to proceed against the said notice. It is further submitted that the prescribed authority was within his power to call a meeting for appointment of a new Pradhan in terms of the statute. Accordingly, the meeting for election of the new Pradhan was held. The petitioner has handed over the charge and the new Pradhan has taken charge as the leader of the Gram Panchayat.

Mr. Bhattacharya submits that there certain irregular activities are going on in the Gram Panchayat in collusion with some members of the Panchayat Samity and a representation has been sent to the S.D.O., Bankura.

There is no scope for passing any order in the writ petition as the allegations of the petitioner do not survive in view of the changed circumstances. However, the petitioner as the member of the Gram Panchayat is always at liberty to raise any protest and/or complain against any irregular activities. If such allegations are brought before any higher authority, the same should be viewed with seriousness.

The writ petition is disposed of.

There will be no order as to costs.

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

(Shampa Sarkar, J.)