

13.08.2021
Court No. 19
Item no.10
srm

WPA 12523 of 2021

Mamota Ghosh
Vs.
The State of West Bengal & ors.

Mr. Jay Chakraborty
.....for the petitioner.

Mr. Lalit Mohan Mahata
Mr. Partha Pratim Ray,
Mrs. Joyee Maity
....for the State.

Despite service none appears on behalf of the respondents Nos. 5 to 8. Affidavit of service is taken on record.

The writ petition has been filed by one of the members of Alinagar Gram Panchayat under Kaliachak Development Block, District-Malda for a direction upon the prescribed authority under Section 11 of the West Bengal Panchayat Act, 1973 to dispose of the application filed by the petitioner seeking removal of some of the members. Those members are the respondent nos. 6 to 8.

It is contended by Mr. Chakraborty, learned Advocate for the petitioner, that the prescribed authority, i.e., the Sub-Divisional Officer (Sadar), Malda has called for a report from the Block Development Officer, Kaliachak-1 Development Block.

Mr. Mahata, learned Senior Government Advocate appearing on behalf of the prescribed authority submits that no order has been passed.

Having heard the contentions of the parties, this Court is of the opinion that the prescribed authority must dispose of the application filed by the petitioner in accordance with law and upon hearing the petitioner as also the respondents Nos. 6 to 8.

Under such circumstances, the writ petition is disposed of with a direction upon the Sub-Divisional Officer (Sadar), Malda to dispose of the application filed by the petitioner in accordance with law, upon giving a final hearing to the parties. A final order shall be passed and communicated to the parties within a period of six weeks from the date of communication of this order.

The writ petition is disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)