

10.09.2021
Item No.11
Crt.No.11
K.B.

M.A.T. 882 of 2021
with
I.A. No.CAN 1 of 2021

Sri Kartik Chalak
-versus-
The State of West Bengal & Ors.
(Via Video Conference)

Mr. Partha Sarathi Bhattacharyya
Mr. Saugata Mitra
Ms. Ankita Dey
Mr. Raju Bhattacharyya
Mr. Santanu Seth
Ms. Jahanara Begum
... For the appellant.

Mr. Lalitmohan Mahato
Mr. Rudranil De
... For the State-respondents.

Mr. P. S. Debbarman
Mr. Manoranjan Mahata
... For the Respondent Nos. 7-18.

Mr. Bhattacharyya, Learned Senior Counsel,
appears for the appellant.

The appellant was the writ petitioner before the
Hon'ble Single Bench.

By the order impugned dated 11th August, 2021,
the Hon'ble Single Bench was pleased to quash the
previous requisition notice dated 2nd August, 2021 with
liberty granted to the requisitionists to proceed afresh in
terms of Section 12 of the West Bengal Panchayat Act,
1973 (for short the 1973 Act). Mr. Bhattacharyya
submits that the notice of requisition being stigmatic, the
Hon'ble Single Bench could not have directed the having
regard to the bar under Section 12(11) of the 1973 Act.

It is also submitted that under Section 213 of the 1973 Act, the appellant is entitled to invoke the principles of natural justice which is not afforded to the appellant in terms of the process directed to be carried out by the Hon'ble Single Bench under Section 12 of the 1973 Act.

The State is represented by Mr. Rudranil De, Learned Counsel led by Mr. Lalitmohan Mahato, Learned Senior Government Advocate.

The requisitions are represented by Mr. P. S. Debbarman leading Mr. Manoranjan Mahata, Learned Advocate.

The requisitionists submit that the order of the Hon'ble Single Bench only reiterates the existing statutory provisions.

Having heard the parties and considering the materials placed, this Court finds no illegality in the order impugned of the Hon'ble Single Bench permitting the parties to proceed by following the statutory provisions.

In the view of this Court, the order of the Hon'ble Single Bench granting liberty to the requisitionists to proceed, be read accordingly.

Since this Court is further informed that the meeting has already taken place on the 6th of September, 2021 and, the appellant has been removed as the Prodhan, squarely to be in terms of the order in terms of the order of the Hon'ble Single Bench dated 23rd August, 2021.

Accordingly, no further orders are called for in this appeal.

Having regard to the above discussion, affidavits are not necessary, neither are they invited. All other allegations are deemed to be denied and disputed.

Affidavit-of-service and Supplementary Affidavit filed in Court today be retained with the record.

MAT 882 of 2021 with **I.A. No. CAN 1 of 2021** stand accordingly **disposed of**.

All parties shall act in terms of a copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Kesang Doma Bhutia, J.) -

(Subrata Talukdar,J.)