

10.09.2021

court no. : 11
Item no. : PB - 12
matter : APPEAL
status : DISPOSED OF
transcriber : nandy

MAT 911 of 2015
with
I.A. No. CAN 1 of 2021

Baidyanath Mahato
Vs.
The State of West Bengal & Ors.

Mr. Partha Sarathi Bhattacharya, Senior Advocate
Mr. Shuvro Prokash Lahiri, Advocate
.....for the Appellant
Mr. Santanu Kumar Mitra, Advocate
Mr. Ranjit Rajak, Advocate
.....for the Respondents

Mr. Bhattacharya, learned senior Counsel appears for the appellant with Mr. Shuvro Prokash Lahiri, learned Counsel.

The State is represented by Mr. Santanu Kumar Mitra, learned senior Counsel with Mr. Ranjit Rajak, learned Counsel.

The appellant challenges the order dated August 19, 2021 passed by the Hon'ble Single Bench whereby the date of the requisition meeting has been fixed on August 24, 2021 in view of the fact that the previous date fixed for the meeting by the Prescribed Authority, i.e. August 20, 2021, was declared as a public holiday.

It is submitted that the dates of the meeting have been manipulated and the Prescribed Authority had earlier fixed the meeting on August 26, 2021.

Mr. Mitra, learned senior Counsel, draws the attention of this Court to a representation of the appellant/writ-petitioner addressing the Prescribed Authority seeking a new date of the requisition meeting in view of declaration of August 20, 2021 as a public holiday. It was, inter alia, stated in the representation dated August 17, 2021 that the meeting required to be held on a working day.

Mr. Mitra, learned Counsel, therefore submits that it was at the instance of the appellant/writ-petitioner that a fresh date had been fixed and the meeting has already taken place on August 24, 2021. The appellant has been removed as the Pradhan.

Having heard the parties and considering the materials placed, this Court finds that the Hon'ble Single Bench has decided to hear out the facts of dispute and directed the parties to exchange affidavits. It is further held that all actions taken shall abide by the result of the writ petition.

In view of the pendency of the ultimate adjudication of the writ-petition with the protection as granted above, no order required to be passed in this appeal. The order of the Hon'ble Single Bench hence require no intervention.

The parties are permitted to go back to the Hon'ble Single Bench for the ultimate adjudication.

The appeal being **MAT 911 of 2021** and the application being **CAN 1 of 2021** are thus **disposed of**.

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

(Kesang Doma Bhutia, J.)

(Subrata Talukdar, J.)