

S/L 10
01.10.2021
Court. No. 19
GB

WPA 15404 of 2021

Julfikar Ali Mondal
Vs.
The State of West Bengal & Ors.

(Through Video Conference)

Mr. Partha Sarathi Bhattacharyya,
Mr. Tanweer J. Mandal,
Mr. Raju Bhattacharyya.

...for the Petitioner.

Ms. Chama Mookherji,
Ms. Paramita Pal.

...for the State.

Mr. Sakya Sen,
Mr. Sunil Gupta,
Mr. Hasibul Islam.

...for the Respondent Nos.6 & 12.

Mr. Kamalesh Bhattacharyay,
Md. Sarwar Jahan,
Mr. Sahan Shah,
Md. Samim Halder.

...for the Respondent Nos.9 to 11

Affidavit-of-service filed in Court today be kept with
the record.

The petitioner claims to be the leader of All India Trinamool Congress Party of the area under Nowda Panchayat Samiti. The only grievance of the writ petitioner is that, the applications for disqualification of some of the members of the Panchayat Samiti pending before the District Magistrate, Murshidabad and the prescribed authority of the Panchayat Samiti, have not been disposed of.

The learned advocates appearing on behalf of the respondents/members, who are sought to be disqualified, raise serious objections with regard to the maintainability of the writ petition and also with regard to the maintainability of the applications before the prescribed authority. It is submitted that the applications are not in the prescribed form.

This writ petition is disposed of with a direction upon the prescribed authority, Nowda Panchayat Samiti and the District Magistrate, Murshidabad to dispose of the applications in accordance with law and also decide the question of maintainability of the application upon hearing the parties. The District Magistrate will decide the question of maintainability of the applications including the question as to whether the same are in the prescribed form. A decision with reasons shall be passed and intimated to all the parties.

This Court has not gone into the merits of the claims and counter-claims of the parties.

The entire exercise shall be completed within a period of eight weeks from date of communication of this order.

This writ petition is, thus, disposed of.

There will be no order as to costs.

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

(Shampa Sarkar, J.)