

30.09.2021
Court No. 19
Item no.16
CP

WPA 16003 of 2021

Soma Roy
Vs.
The State of West Bengal & Ors.

Mr. Dipankar Pal
Mr. Jahangir Alam
Mr. Kunal Ganguly

... for the Petitioner.

Mr. Atarup Banerjee
Mr. Mrityunjoy Chatterjee
Mr. S. Bhattacharyya
Mr. Ashim Debnath
Ms. D. Majumder

.....for the respondents 6 to 18.

Mr. Jaharlal Dey
Mr. Shayak Chakraborty

....for the State.

The writ petition has been filed by the pradhan of Birnagar – II Gram Panchayat challenging inaction on the part of the prescribed authority in disposing of the application made under Section 213A of the West Bengal Panchayat Act, 1973 (hereafter referred to as the said Act). It is the contention of the petitioner that despite having filed the application for disqualification of the respondent nos. 6 to 11, the prescribed authority has not acted in accordance with the provisions of law.

The application under Section 213A was filed on September 16, 2021. The law prescribes 8 weeks time for disposal of such application.

Thus, in my opinion, the application is premature. The prescribed authority shall dispose of the said application mandatorily within the statutory time limit.

This court has not gone into the merits of the claims and counter-claims of the parties and the entire matter shall be decided by the prescribed authority in accordance with law.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)