

18.11.2021
Court No. 19
Item no.07
CP

WPA 18209 of 2021

Dilip Kumar Mondal
Vs.
State of West Bengal & ors.

Mr. Sabyasachi Chatterjee
Mr. Akashdeep Mukherjee
Mr. Sandipan Das
Mr. A. Sharma
Mrs. S. Biswas
Mr. Sagar Dey

.....for the petitioner.

Mr. Lalit Mohan Mahata, Sr. Govt. Advocate
Mr. Rudranil De

.....for the State.

Affidavit of service is taken on record. Service upon the respondents are not complete. The State respondents are represented.

The petitioner is a member of the Birpur 2 Gram Panchayat. The petitioner is aggrieved because the prescribed authority failed to take steps pursuant to the complaint of the petitioner. The petitioner contended that he was forced to sign on the requisition brought for removal of the Pradhan.

It is informed by Mr. Mahata, learned Senior Government Advocate, that the meeting for removal of the pradhan has already been fixed pursuant to an order of this court. This court need not go into that aspect at all.

The only grievance of the petitioner in the writ petition is that the petitioner's signature which appeared in the requisition was forcefully obtained. The petitioner is always at liberty not to cast his vote at the meeting.

With regard to the allegation of application of force, the petitioner is at liberty to approach the police authorities against such persons who have intimidated him and made him sign on the requisition. No such complaint was lodged.

The prescribed authority shall consider the grievance of the petitioner with regard to the affairs of the gram panchayat as raised in the objections filed before the said authority, in accordance with law.

No further order need be passed as the grievance of the petitioner vis-à-vis the meeting will be taken care of if the petitioner does not go to the venue or refrains from casting his vote. The petitioner is also at liberty to cast his vote against the motion.

The writ petition is, thus, disposed of. There shall be no order as to costs.

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

(Shampa Sarkar, J.)