

Court No. 24
20.01.2021
(Item No. 42)
(AB)

W.P.A 20105 of 2019
With
CAN No. 10473 of 2019
Pritilata Sardar

vs
The State of West Bengal & Ors.

Mr. Sadhan Chandra Halder
Mr. Kamakshya Prasad Mukhopadhyay
...for the Petitioner

Mr. Tapan Kumar Mukherjee
Md. Mansoor Alam
.... for the State

Mr. Subhabrata Datta
Mr. Aranya Saha
..... for the applicants
Mr. Tapash Kumar Mondal
..... for the applicants

The petitioner prays for a direction upon the respondent authorities for reconstitution of the Sthayee Samiti.

The learned advocate appearing on behalf of the State respondents submits, upon instructions, that out of the 36 members of the Sthayee Samiti 28 have tendered resignation. Presently direction is required for constitution of a fresh Sthayee Samiti in accordance with law.

An application for addition of party has been filed by 19 members claiming themselves to be the elected members of the Sthayee Samiti under the back sheet of one Aranya Saha, learned advocate. Today in Court and another learned advocate Tapash Kumar Mondal submits that out of the 19 applicants 10 of them have withdrawn

their Vakalatnama and intend to file fresh Vakalatnama. It has further been submitted that the said 10 applicants do not wish to proceed with the application for being added as party respondents. The aforesaid Mr. Tapash Kumar Mondal submits, upon instructions, that his clients intend to participate in the process of re-constitution of fresh Sthayee Samiti.

Upon hearing the submissions made on behalf of all the parties it appears that presently a Sthayee Samiti is required to be constituted as out of 36 members 28 have tendered resignation.

In view of the above, the instant writ petition is disposed of by directing the Prescribed Authority and the Sub Divisional Officer, Baruipur Sub Division, Baruipur being the respondent No. 2 herein to take necessary steps for re-constitution of the Sthayee Samiti, in accordance with law, within a period of three months from the date of communication of a copy of this order.

The Vakalatnama filed by Sri Tapash Kumar Mondal, learned advocate is retained with the records. The supplementary affidavit filed by the petitioner is also taken on record.

In view of the aforesaid facts there is no requirement of passing any further order on the application for addition of parties.

Accordingly, application being CAN 10473 of 2019 is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)