

31.08.2021
Sl. No.3(Jalpaiguri)
srm

W.P.A. No. 1191 of 2021
Sahir Uddin Miah & Ors.
Vs.
The State of West Bengal & Ors.

Md. Sarwar Jahan,
Mr. Firoz Hossain,
Mr. Maidul Islam Kayal

...for the Petitioner.

Mr. Srijob Chakraborty,
Mr. Anindya Ghosh,
Mr. Sudip Guha

... Respondent Nos.12&13.

Mr. Subir Saha,
Mr. Raja Saha,
Mr. Hirak Barmun

...for the State-Respondents.

Affidavit of service is taken on record.

All parties are represented.

The grievance of the petitioners have been met in
W.P.A. No.1187 of 2021.

Mr. Saha, learned Advocate for the State-respondents,
has submitted documents before this Court to show that the
Inspector-in-Charge of Dinhata Police Station has assured the
prescribed authority to give adequate police support on the re-
scheduled date of the meeting for removal of the Pradhan on
September 9, 2021 at 12.00 noon.

Thus, the allegation of Mr. Jahan, learned Advocate for
the petitioners, against the prescribed authority about the

postponement of meeting and the requisition dated August 12, 2021 no more survives.

It is made clear that the meeting shall be made in accordance with law with adequate police support and if the administration is of the opinion that in order to prevent any untoward incident on the date or closer to the date of the meeting stringent steps have to be taken, then the appropriate authority shall take all steps possible including the imposition of Section 144 of the Cr.P.C. in order to ensure that the meeting is held peacefully and only in the presence of the members of the said Gram Panchayat, police authorities, observer and other officials assisting the prescribed authority.

The documents supplied by the prescribed authority and the concerned police authority are taken on record.

It is also found that the 30 days period has not expired so the re-scheduled meeting must be held on the aforementioned date and the entire process shall be completed as per Section 12(10) of the said Act within the statutory period of 30 days from receipt of the motion.

Thus, this writ petition is disposed of.

There will be, however, no order as to costs.

The learned Advocates are granted liberty to communicate the gist of the order.

The prescribed authority shall circulate the notice to other members in accordance with law within September 1, 2021.

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

(Shampa Sarkar, J.)