

D/L
Item No. 5
25.02.2022
KOLE

**MAT 204 of 2022
With
IA No. CAN 1 of 2022**

**Mamoni Ghosh
-Vs.-
The State of West Bengal & Ors.**

*Mr. Partha Sarathi Bhattacharyya, Sr. Adv.,
Mr. U. Ali Dewan,
Mr. R. Bhattacharyya,
Mr. A. Dewan,*

...for the appellant.

*Mr. L. M. Mahata,
Mr. P. B. Mahata,*

...for the State.

By consent of the parties the appeal and the application are taken up for hearing together.

The writ petitioner filed a complaint before the prescribed authority alleging that the private respondents no. 7 and 8, who are members of the concerned Panchayat, have attracted disqualification by reason of being absent in three consecutive meetings held on 26th April, 2021, 24th June, 2021 and 28th June, 2021. Alleging inaction on the part of the prescribed authority the writ petitioner filed the writ petition.

The learned Single Judge held that the allegation of inaction on the part of the prescribed authority is baseless. No time limit is prescribed in the West Bengal Panchayat Act, 1973 within which the prescribed authority must dispose

of a complaint like the present one. The learned Judge dismissed the writ petition.

We have heard Mr. Bhattacharyya, learned Senior Counsel, appearing for the appellant/wit petitioner. We find no reason to interfere with the order impugned. However, since a complaint has been lodged by the writ petitioner before the prescribed authority in terms of the statute, we direct the prescribed authority to dispose of the same in accordance with law by a reasoned order following the procedure laid down in the statute within a period of four weeks from the date of receipt of a copy of this order.

The appeal and the connected application are, accordingly, disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Arijit Banerjee, J.)

(Kausik Chanda, J.)