

09.11.2022
Court No. 19
Item no.11
CP

WPA No. 4169 of 2022

Rita Das
Vs.
The State of West Bengal & Ors.

Mr. Nilanjan Bhattacharjee
Mr. Kaustuv Shome
... for the petitioner.

Mr. Lalit Mohan Mahata
Mr. Prasanta Behari Mahata
...for the State.

Mr. S. Mitra
Ms. Munmun Dalapati
...for the respondent nos. 4 to 8.

The petitioner is the pradhan of Banupur – II
Gram Panchayat.

The writ petition is misconceived. The Block
Development Officer is not the prescribed authority
to decide the application for termination of
membership of some of the members of the
concerned gram panchayat. The appropriate
authority would be the Sub-Divisional Officer,
Howrah.

Under such circumstances, the writ petition is
disposed of granting liberty to the petitioner to
approach the appropriate authority, strictly in
accordance with law.

If such application is filed, the same shall be
disposed of expeditiously upon granting an

opportunity of hearing to all the parties including the members sought to be removed. The petitioner and the said members shall be given an opportunity to file their written submissions and also adduce oral and documentary evidence in support of their respective claims.

A reasoned order shall be passed and communicated to all parties.

The entire exercise shall be completed within a period of 12 weeks from the date of receipt of the application of the petitioner.

This court has not entered into the merits of the issues involved in the writ petition.

Accordingly, the writ petition is disposed of.

There will be no order as to costs.

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

(Shampa Sarkar, J.)