

Sl. No.7
23.06.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 8282 of 2022

Lutfatara Bibi & Ors.
Versus
The State of West Bengal & Ors.

Mr. Rudranil De
Mr. Joy Chakraborty
Mr. Sandip Dinda ... for the petitioner

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

The grievance of the petitioner is that the motion of no confidence/removal of the Upa-Prodhan could not be concluded within the prescribed time period even though notice for removal was served upon the Prescribed Authority on 11th April, 2022. The petitioner prays for extension of time period for conclusion of the proceeding for removal of the Upa-Prodhan.

It appears that the Prescribed Authority and the Block Development Officer issued a hearing notice on 19th April, 2022 fixing 22nd April, 2022 for verification of the signature of the motion of no confidence/removal against the Upa-Prodhan. The said verification ought to have been made within a period of five working days from the date of submission of motion of no confidence/removal.

As it appears that the time limit prescribed under the law has already expired and the Prescribed Authority failed to act within the said prescribed time limit, accordingly, the instant writ petition is disposed of by giving liberty to the petitioner to file fresh requisition before the Prescribed Authority and if the requisition is made by the requisitioner then necessary steps shall be taken by the Prescribed Authority to conclude the proceeding within the time as prescribed in law.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)