

11
22.07.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 16272 of 2022

**Sonali Khatun & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Atis Kumar Biswas,
Mr. Amit Singh,
Ms. Jyoti Agarwal.
...For the Petitioners.**

**Mr. Lalit Mohan Mahata,
Mr. Prasanta Behari Mahata.
...For the State.**

**Mr. Md. Sarwar Jahan,
Mr. Amanul Islam,
Mr. Sourav Mukherjee.
...For the Respondent
Nos. 11 to 20.**

Affidavit-of-service filed in Court today is taken on record.

A requisition notice for motion of no confidence was served upon the prescribed authority on 4th July, 2022.

According to the petitioners, the prescribed authority ought to have issued notice for convening the meeting within five working days of the receipt of the motion.

According to the petitioner the notice of meeting on motion for removal of the Pradhan was issued by the prescribed authority on 11th July, 2022 that is beyond the prescribed period of five working days.

The expression used in Section 12(3) of the West Bengal Panchayat Act, 1973 mentions that the prescribed authority on receipt of the motion shall satisfy himself that it conforms to the requirements of Sub-Section (2) and on his satisfaction shall specifically convene, by issue of notice, within five working days of the receipt of the motion, a meeting of the Gram Panchayat to be held in its office fixing date and hour of the meeting and sending such notice at least before clear seven days to each of the existing members.

In the present case, the notice of meeting on motion for removal is dated 11th July, 2022 and the meeting has been fixed on 27th July, 2022. The time line as mentioned in the said notice is in accordance with the provision of the West Bengal Panchayat Act, 1973.

The notice appears to have been issued on the 5th working day.

There is no in conformity on the act of the prescribed authority.

The writ petition fails and is hereby dismissed.

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

(Amrita Sinha, J.)