

20.01.2022
Item No.17.
Court No.6.
AB

Through Video Conference

M.A.T. 1301 of 2021

With

I A CAN 1 of 2021

Anjali Hembram

Vs

The State of West Bengal & Others

Mr. Ritwik Pattanayak ...for the Appellant.

Mr. Anirban Roy, Id. GP,
Mr. Raja Saha,
Ms. Rupsa Chakraborty ...for the State.

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

The appellant was one of the six writ petitioners before the learned Single Judge. She is the Ex-Pradhan of the concerned Panchayat. She challenged the procedure followed by the Prescribed Authority and the Presiding Officer during the course of the meeting held for her removal from the post of Pradhan. She made various factual allegations before the learned Single Judge.

The learned Judge recorded that there being disputed questions of facts, the same could be gone

into only upon exchange of affidavits. It was also recorded that since the meeting for removal of the Pradhan had already taken place and the newly elected Pradhan was due to join on or about December 7, 2021, there was no scope for any interim order. Direction for exchange of affidavits was given. The Prescribed Authority was directed to preserve all the records as were available in his office on the day of the meeting, till the hearing of the matter. It was further directed that all actions taken shall abide by the result of the writ petition.

Learned Advocate for the appellant says that really, nothing remains in this appeal. However, the concerned Block Development Officer should be directed to preserve the CCTV footage of the meeting held for removal of the appellant. We do not find any such prayer in the stay application. In any event, if the appellant deems it necessary that such footage is to be preserved, she may apply for appropriate direction before the learned Single Judge.

We are not inclined to interfere with the order under appeal.

Since we have not called for affidavits, the allegations in the stay petition are deemed not to be admitted by the respondents.

The appeal being **MAT 1301 of 2021** along with **IA CAN 1 of 2021** are dismissed.

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after complying with all the necessary legal formalities.

(Kausik Chanda, J.)

(Arijit Banerjee, J.)