

2.9.2022
Sl.No.5
sn

WPA 19461 of 2022

**Md. Manirul Mollah & Ors.
Vs.
The State of West Bengal & Ors.**

**Mr. Shamim Ul Bari
Mr. Ali Ahsan Alamgir
..for the petitioners**

**Mr. L.M. Mahata
Mr. Rudranil De
..for the State**

**Mr. Debanik Banerjee
Ms. Pratiti Das
..for the respdt.8**

According to Mr. Mahata, learned Additional Government Pleader, the writ petition is premature.

It is submitted that the time prescribed in the statute for holding the election of the new Prahan owing to the vacancy created by way of resignation of the earlier Pradhan, is 30 days. Mr. Mahata, submits that 30 days had not elapsed and as such the time for holding the election, is not yet over.

The Court appreciates such submission and disposes of the writ petition.

A statutory authority like the Block Development Officer, must follow the law and do the needful in order to ensure that the vacancy is filled up in accordance with law.

The allegation of the petitioner against the Block Development Officer about intentionally delaying the re-election of the new Pradhan and of

not acting on the basis of three consecutive requisitions for removal of the Pradhan, are not decided by this Court. The Court directs that the Block Development Officer should discharge his duty of holding the election of the Pradhan, in accordance with law and within the statutory period.

This Court is confident that Mr. Mahata will use his good offices to explain to his client the consequences of disobedience of law and of the order of this Court.

This writ petition is disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)