

2.3.2022
Court No. 19
Item no.23
sn

WPA 20279 of 2021

Pratima Dutta
Vs.
The State of West Bengal & ors.

Mr. Sandip Kumar Bhattacharyya
.....for the petitioner.

The writ petition has been filed for a direction upon the respondent no.2 to act in terms of the order dated August 5, 2021 passed in WPA 9884 of 2021.

The relevant portion of the order is quoted below :-

“ The petitioner is the pradhan of Chilkigarh Gram Panchayat-I. The petitioner is aggrieved by the inaction on the part of the Sub-Divisional Officer, Jhargram in disposing of his application for removal of some of the members of the gram panchayat dated July 27, 2020. It is the contention of the petitioner that the members did not attend six consecutive meetings of the panchayat and, as such, these members had lost their right to continue in office in terms of Section 11(1)(d) of the West Bengal Panchayat Act, 1973.

The writ petition is disposed of with a direction upon the Sub-Divisional Officer, Jhargram to dispose of the application of the petitioner in accordance with law upon granting an opportunity to the members to show cause. The said application should be disposed of expeditiously in accordance with law.

This court has not gone into the merits of the claims and counter-claims of the parties. This court also has not decided any other point.”

It is submitted by the petitioner that the respondent no.2 continued to sit tight over the matter and also violated the order of this Court.

None appears on behalf of the respondents.
This Court is not in a position to ascertain as to

whether the respondent no.2 has complied with the earlier order of this Court dated August 5, 2021 passed in WPA 9884 of 2021 or not. If the same has not yet been complied with, the respondent No.2 is directed to comply with the same as per the direction of this Court.

All the parties, including the persons against whom the complaints have been raised before the respondent no.2 shall be heard, allowed to file their respective written version and also adduce oral and documentary evidence in support of their respective contentions.

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

The entire exercise shall be completed within a period of four weeks from the date of communication of this order. In case the order has already been complied with, the details of the proceeding shall be communicated to the petitioner.

This writ petition is disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)