

35 05.12.2022

gd/ssd

WPA(P)/436/2022
SMT. MANIKA PAUL
VS

STATE OF WEST BENGAL AND ORS.
Mr. Asis Kumar Das,
Mr. Suman Chattopadhyay
..for the Petitioner.

Mr. Jahar Lal De,
Mr. Rudranil De
..for the State.

Mr. Bipin Ghosh
..for the Respondent Nos.9 to 12.

In this public interest petition the petitioner has raised the plea that Swami Vivekananda Nari Kalyan Sangha was set up with 81 groups and one Smt. Mamani Bagri was selected as Secretary of the Sangha. The allegation of the petitioner is in respect of certain irregularities by the said Secretary in respect of the functioning and usurping the power by centralising all the activities.

Learned counsel for the State has submitted that the petitioner has remedy under Section 102 of the West Bengal Cooperative Societies Act, 2006.

Learned counsel for the petitioner has made an attempt to argue on the question of maintainability of the PIL by referring to the order dated 20th April, 2022 passed in WPA 17195 of 2021 by the learned Single Judge but the said order itself makes it clear that the filing of the PIL was permitted subject to the maintainability.

Learned counsel for the petitioner has now submitted that the issue was raised before the Deputy Registrar of the Cooperative Societies who had heard the matter on 22nd August, 2019 but no order has been passed. In this regard he has referred to annexure “P-5” filed with the writ petition.

Learned counsel for the State does not dispute that if the matter was heard by the Deputy Registrar, then the order is required to be passed, if not already passed.

Hence, we dispose of the present public interest petition at this stage directing the respondent no.6 i.e. Deputy Registrar of the Cooperative Societies to pass an appropriate order on the dispute raised by the petitioner, if no order after the proceedings dated 22nd August, 2019 has been passed so far.

Let the needful be done within a period of two months from the date of receipt of a copy of this order. If the order has already been passed by the respondent no.6, then a copy thereto will be supplied to counsel for the petitioner.

The petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

