

S/L 41
05.09.2022
Court. No. 19
GB

W.P.A. 19918 of 2022

Masadul Shaikh
VS
The State of West Bengal & Ors.

*Mr. Robiul Islam,
Ms. Firoja Khatun.*

...for the Petitioner.

*Ms. Sudipa roy,
Mr. Srinath Singha Roy.*

...for the State.

*Mr. Arunava Banerjee,
Ms. Mamata Dutta,
Mr. D. Adhikary,
Mr. Asit Bera.*

...for the Respondents.

Mr. Islam, learned advocate for the petitioner has alleged that the notice dated August 22, 2022 issued by the prescribed authority and the Block Development Officer, Karimpur-II Block under Form-1E, Sub-Rule 5B of the West Bengal Panchayat (Constitution) Rules, 1975 was not in accordance with the provision of Section 12 (3) of the West Bengal Panchayat Act, 1973. According to Mr. Islam, the notice prescribing the date of the meeting for removal of the Pradhan was issued beyond five working days.

Learned advocate for the State respondents has submitted documents before the Court, inter alia, demonstrating that the requisition was received on August 16, 2022 by the prescribed authority. On August 17, 2022 a notice was issued upon the members of the panchayat, for verification of the signatures and for recording his

satisfaction. Upon being satisfied, the impugned notice had been issued on August 22, 2022.

Mr. Islam also hands over a copy of the order dated August 31, 2022, issued by the prescribed authority, from which it appears that the meeting had been deferred and the next date would be communicated shortly. It appears that the meeting was deferred on receipt of an information from the Officer-in-Charge, Thanarpara Police Station on August 30, 2022.

Under such circumstances, the Court does not find Mr. Islam's allegation that the notice was issued beyond five working days from the receipt of the requisition, to be correct. The documents submitted by the prescribed authority, speak otherwise.

Accordingly, the writ petition is disposed of, without any orders.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the learned advocates' communication.

(Shampa Sarkar, J.)