

21.9.2022

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WPA 19976 of 2022

M/s. Akbar Ali Enterprise represented by its
Proprietor Akbar Ali @ Akbar Ali Molla @ Akbar Ali
Molya

Vs

The State of West Bengal & Ors.

Ms. Jonaki Saha

... For the Petitioner.

Mr. Pradip Kumar Ray,
Mr. Himadri Sekhar Chakraborty,
Mr. Biplob Das,
Ms. Susnita Saha

... For the State.

Mr. Jya Brata Ghose

... For the Respondent No.2.

Mr. A. Bhattacharya

... For the Respondent No.4.

Heard learned Advocates appearing for the parties.

This writ petition has been filed by the petitioner who is a security guard of the Society in question, being aggrieved by the action of the Society withholding his wages amounting to Rs.2,60,000/- for the period from September 2018 to September, 2019 as appears at page 22 to the writ petition being document dated 21st October, 2019, issued by the then Secretary of the Society.

Learned Advocate appearing for the respective parties opposes this writ petition by relying on a letter dated 11th July, 2022, issued by the erstwhile Secretary as appears at page 25 to the writ petition that as per Audited report and Balance Sheet, liability of the Society was only Rs.7,000/-.

Accordingly, considering the submission of the parties and in view of the legal provision, this writ petition being WPA 19976 of 2022 is disposed of by granting liberty to the petitioner to approach the authority concerned under Section 102(2) of the West Bengal Co-operative Societies Act for the nature of relief sought for in the writ petition within four weeks from date and if petitioner approaches such authority it will consider and take a decision on the claim of the petitioner expeditiously but not beyond more than eight weeks from the date of receipt of such complaint by passing a reasoned and speaking order and if such authority finds that the claim of the petitioner is legitimate, it shall pass an appropriate order payment of claim immediately.

(Md. Nizamuddin, J.)