

15.9.2022

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WPA 20475 of 2022

Mrs. Rita Dev & Ors.
Vs
The State of West Bengal & Ors.

Mr. Megajit Mukherjee,
Ms. R. Goyal
... For the Petitioners.

Mr. P.K. Roy,
Mr. Biplob Das
... For the Respondent No.2.

Mr. N. C. Bihani,
Ms. T. Dsgupta
... For the KMC.

Mr. A. Ray, Ld. GP.,
Mr. D. Ghosh,
Mr. S. Mukherjee,
Mr. D. Sahu
... For the State.

Mr. D.K. Sengupta,
Ms. S. Saha
... For the Respondent No.4.

Mr. S. Roy,
Mr. J.S. Mukherjee
... For the Respondent Nos. 5-7.

Heard learned Advocates appearing for the parties.

Considering the nature of allegation and dispute raised and the relief sought for in this writ petition, I am of the view that this Writ Court under Article 226 of the Constitution of India is not the appropriate forum and for redressal of the grievance in question, the statutory alternative remedy is available to the petitioners under Section 102 of the West Bengal Co-operative Societies Act, 2006 and considering the availability of statutory remedy available to the petitioners, I am not inclined to entertain this writ petition on the ground of availability of alternative

remedy and this writ petition being WPA 20475 of 2022 is disposed of by granting liberty to the petitioners to approach the authority concerned under Section 102 of the Act within two weeks from date and if the petitioners approach the said authority after observing statutory formalities, in that event, the authority concerned shall take a decision in accordance with law and pass a reasoned and speaking order after giving an opportunity of hearing to the petitioner and interested parties or their authorised representatives.

(Md. Nizamuddin, J.)