

20.02.2023

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W.P.A. 1183 of 2018
(Assigned)

Sadhan Kumar Dholey
Vs.
State of West Bengal & ors.

Mr. Sujoy Chakraborty
Ms. Shashwati Bhattacharjee
... for the petitioner

Mr. Srijan Nayak
Mrs. Rituparna Maitra
... For the State

Mr. Pritam Choudhury
Mr. Abhisek Addhya
... for the respondent nos.3 and 4

Heard learned Counsel on behalf of the parties.

In my view, this matter falls under Section 102 of the West Bengal Co-operative Societies Act, 2006 and the petitioner has the right to raise and dispute before the Registrar under the Act.

Accordingly, the writ petition is disposed of with a direction upon the petitioner to raise a dispute under Section 102 as per the procedure laid down. Upon such dispute being raised, the Assistant Registrar, Co-operative Societies, Hooghly Range, being respondent no.2 herein is directed to act in terms of Section 102 of the West Bengal Co-operative Societies Act, 2006 and pass a reasoned order after granting an opportunity of hearing to the petitioner as per the procedure laid down, within a period

of four months from date. Even though the affidavits have been exchanged in this matter and since the Court has not gone into the merits of this case, the Assistant Registrar, Co-operative Societies, Hooghly Range, being the respondent no.2 is directed to act independently.

Once the reasoned order is passed, the same should be communicated to the petitioner within a period of two weeks from the date of passing of such reasoned order.

(Shekhar B. Saraf, J.)