

29.03.2023

Sl no. 118

Ct no. 2

P.M.

WPA 4501 OF 2023

Smt. Puspa Devi

- Vs -

The State of West Bengal & Ors.

Mr. Bapin Baidya

... For the Petitioner.

Mr. Pradip Kumar Roy,

Mr. Prabir Kumar Ray,

Mr. Joydeep Roy

... for the State.

Mr. Srijan Nayek,

Ms. Rituparna Maitra

... for respondent No. 3 & 4

Heard learned advocates appearing for the parties.

By this writ petition, petitioner has challenged the impugned resolution dated 2nd February, 2023 taken by the Board of Directors of the Co-operative Society concern which is a private body, rejecting the claim of the petitioner for appointment in place of her husband, on the ground that since her husband is missing from 2011 and not traceable he should be presumed to be not alive. The Board of Directors rejected the claim of the petitioner for appointment mainly on the ground that they are not aware whether petitioner's claim of missing of her husband is genuine or not in absence of any declaration from any competent court of law and on the ground that there is no record in the office showing that the

petitioner is the wife of the said missing employee and also about his children.

Considering the facts and circumstances of this case which appear from record and particularly facts as appears on perusal of the aforesaid resolution, I am not inclined to entertain this writ petition being WPA 4501 of 2023 and accordingly the same is dismissed.

However, dismissal of this writ petition will not be a bar on the part of the petitioner to pursue before the appropriate forum for redressal of her grievances in accordance with law.

(Md. Nizamuddin, J.)