

05.04.2023

Sl no. 115

Ct no. 2

P.M.

WPA 6335 OF 2023

Debkanta Chakrabarti.

- Vs -

The State of West Bengal & Ors.

Mr. Shibnath Bhattacharya,
Mr. Abhishek Bhattacharya,
Mr. Anirban Saha Roy
... for the petitioner

Mr. Srijan Nayek,
Mr. Rituparna Maitra
... for the State

Mr. Kamal Krishna Pathak,
Mr. Souvik Maji
... for respondent No. 5

Heard learned advocates appearing for the parties.

Petitioner has filed this writ petition making prayer to issue membership certificate and share certificate in place of his deceased father who was the member of the society in question.

Learned advocate appearing for the respondent cooperative society submits that the society has no objection if the petitioner makes an application in proper form and complies the formalities under Section 70 (1) (b) of the West Bengal Co-operative Societies Act, 2006.

Considering the facts and circumstances of this case and submission of the parties this writ

petition being WPA 6335 of 2023 is disposed of by directing the respondent co-operative society to allot membership to the petitioner if he makes application in proper form and complies the formalities under Section 70 (1) (b) of the aforesaid Act. If the petitioner does not make any application within a month from date, in that event the respondent society will not be bound to allot membership to the petitioner and if petitioner complies the formalities under the aforesaid Section the respondent society shall issue membership certificate to the petitioner.

In the meantime there will be an order of status quo with regard to the plot of land in question.

(Md. Nizamuddin, J.)