

16.05.2023  
Court No. 19  
Item 04  
CP

WPA No. 9186 of 2023

Chabi Rani Manna  
VS  
The State of West Bengal & Ors.

Mr. Samiran Giri

... for the petitioner.

Mr. Molay Singh  
Mr. Bibekananda Tripathy

.....for the State.

Ms. Reshmi Khatun  
Mr. Swakshar Kr. Mondal

....for the respondent nos. 8 to 12.

The writ petition is not maintainable as the internal conflict between the members of a self-help group cannot be decided in this proceeding. Neither the State respondents nor any authority in the Department of Panchayats & Rural Development have taken any steps against the petitioner. Her membership has been terminated by the members of the group by a resolution adopted at a meeting of the self help group. The allegation that the money which she allegedly deposited, cannot be withdrawn from the bank, cannot be looked into by the respondents.

The Block Development Officer, Contai-III Block has filed a short report, *inter alia*, stating that the guidelines under the West Bengal State Rural Livelihood Mission, namely the guidelines of

Anandadhara Project, are usually followed with regard to formation of a group. Control, management and other activities are often guided by the same. The groups also have their own bye laws. The internal conflict between the members of the group cannot be decided by the writ court nor can the State respondents be empowered with the jurisdiction to decide such conflict.

Although the court finds from the minutes produced by the self-help group that the decision to terminate the membership of the petitioner and to introduce new members was adopted in the meetings of the self-help group, the learned advocate has not been able to produce any documents which would show that the petitioner was ever warned about the allegations which were being levelled against her. No notice of hearing has been produced.

Mr. Giri, learned advocate for the petitioner, submits that the guidelines would indicate that before termination of membership on the ground of corruption or defalcation of funds, the said member should be given adequate notice and warning.

The petitioner is granted liberty to approach either the Mission Director or the Project Director operating within the district of Purba Medinipur under the West Bengal State Rural Livelihood

Mission with her grievances that the guidelines had not been complied with.

If such application is filed, the same shall be disposed of in accordance with law, upon granting an opportunity of hearing to the petitioner as also to the members and office bearers of the Lankeswar Self-Help Group. The authority will also decide whether the internal conflict would be decided as per the said guidelines or not.

The entire exercise shall be completed by the authorities in accordance with law within a month from receipt of the petitioner's application and necessary decision shall be taken. The decision shall be communicated to all the parties.

The report and the copy of the resolutions are taken on record.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

**(Shampa Sarkar, J.)**