

17.5.2023

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WPA 10548 of 2023

Saijuddin Seikh
Vs
The State of West Bengal & Ors.

Mr. Robiul Islam,
Mr. Raju Mondal
... For the Petitioner.

Mr. Pradip Kumr Roy,
Mr. Prabir Kumar Ray,
Mr. Joydeep Roy
... For the State.

Mr. Ankit Sureka,
Mr. Asis Dutt
... For the Respondent No.7.

Mr. Srijan Nayak,
Mr. Biplob Das
... For the Respondents.

Heard learned Advocates appearing for the parties.

This is the third round of litigation initiated by the petitioner, who is a retired employee of a private Co-operative Society challenging the initiation of impugned disciplinary proceedings against him. It is a well settled principle of law that no writ lies against a private Co-operative Society since it is not a “State” within the meaning of Article 12 of the Constitution of India since the respondent/Co-operative Society is neither financed by the State Government nor State Government has any say in day to day affairs of the Co-operative Society in question.

In view of settled proposition of law, this writ petition being WPA 10548 of 2023 is dismissed. However, dismissal of this writ petition will not be a

bar on the part of the petitioner to avail any other remedy, if available under the law.

(Md. Nizamuddin, J.)