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12.09.2023
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 21366 of 2023

**Sujit Biswas
-versus
The State of West Bengal Ors.**

**Mr. Uday Sankar Chattopadhyay,
Mr. Pronay Basak.
...For the Petitioner.**

**Mr. Avijit Sarkar,
Ms. Kalpita Paul.
...For the State.**

**Mr. Srijan Nayek,
Mr. Ankit Sureka,
Mr. Biplob Das.
...For the Respondent Nos. 2 and 3.**

**Mr. Soumyadeep Biswas.
...For the Respondent No.9.**

The petitioner is a member of Saktinagar Samabay Krishi Unnayan Samiti Limited. He raises certain issues with regard to the management of the affairs of the Co-operative Society.

Allegation is that the private respondent forged his date of birth to continue in service as Manager of the said Co-operative Society.

It has been submitted that the Co-operative Society ought to have taken steps against the private respondent.

Learned advocate appearing for the respondents submits that the writ petition is not maintainable.

It appears from the submissions made on behalf of all the parties and upon perusal of materials on record that the dispute sought to be raised by the petitioner in the instant writ petition relates to management of the affairs of the Co-operative Society.

There is provision under the West Bengal Co-operative Society Act, 2006 for raising such dispute before the appropriate forum.

The Court is of the opinion that in the facts and circumstances of the instant case, the writ petition will not be maintainable.

The writ petition stands dismissed.

Dismissal of the writ petition will however, not stand in the way of the petitioner from approaching the appropriate forum, in accordance with law, if so advised.

In the event a dispute is raised before the competent authority, the same shall be decided on merits.

Since this writ petition is disposed of at the motion stage without inviting any affidavit from any of the parties, the allegations made by the petitioner in this writ petition are deemed not to be admitted by the respondents.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)