

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

W.P.A 22590 of 2023

**Joydev Jana
-versus
The State of West Bengal & Ors.**

**Mr. Subhajit Panja
...For the Petitioner.**

**Mr. Srijan Nayak
Ms. Rituparna Maitra
Mr. Biplab Das
...For the respondent no. 2 to 4.**

**Mr. Indrajit Biswas
Mr. Rakesh Kumar Pandey
... For the respondent no. 6.**

The petitioner is aggrieved by the appointment of the respondent no. 6 in the Cooperative Society in the Group D post.

The petitioner relies upon the enquiry report of the Assistant Registrar of Cooperative Societies, Paschim Medinipur range dated 14th September, 2023 which clearly mentions that the Society violated Section 43 of the WBCS Act, 2006.

Admittedly, at present there is no Board functioning in the Society.

In view of the above, leave is granted to the petitioner to approach the Assistant Registrar of Cooperative Societies, Paschim Medinipur range highlighting the illegalities.

As the Assistant Registrar of the Cooperative Societies has already come to a considered opinion that

there is violation of Section 43 of the Act, accordingly, the Assistant Registrar, Cooperative Society is directed to take necessary remedial steps in accordance with law after giving reasonable opportunity of hearing to all the necessary parties at the earliest but positively by 31st January, 2024.

Affidavit-in-reply to the affidavit-in-opposition filed by the respondent no. 6 is retained with the records.

On 1st December 2023 the appearance of Mr. Srijan Nayak, Ms. Rituparna Maitra and Mr. Biplab Das was inadvertently recorded for the Cooperative Election Commission. The same is to be rectified. They are representing the respondent nos. 2, 3 and 4.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)