

Item No.410

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

29.09.2023
Ct-24

WPA 22888 of 2023
Manoj Kumar Gupta
v.
State of West Bengal & Ors.

Ms. Swarupa Ghosh
Mr. Abhirup Chakraborty
Mr. Tuhin Ganguly
... for the petitioner.

Mr. Moniruz Zaman
Mr. Subhajit Chowdhury
... for the State.

Mr. Srijan Nayak
Ms. Rituparna Maitra
Mr. P.S. Pal
... for the respondent nos. 2 & 3.

The petitioner is aggrieved by the action on the part of the Joint Registrar of Co-operative Societies in not taking proper steps for disposal of the representation seeking inquiry/investigation into the illegal and arbitrary acts of the Modern Co-operative Housing Society Limited.

In response to the objection filed by the petitioner on July 6, 2023, the Joint Registrar of Co-operative Societies by a communication dated June 28, 2023 directed the Secretary of the Co-operative Housing Society Limited to express views with regard to the complaint lodged.

The petitioner submits that no response is forthcoming from the Secretary of the Housing Society Limited.

It has been submitted that huge sum of money is being siphoned off and the affairs of the society is being mismanaged by the persons who are in charge of the Co-operative Housing Society. The Joint Registrar of Co-operative Societies took note of the fact that the board expired in January 2020 but till date steps have not been taken for conducting the election.

After hearing the parties the Court directs the Registrar of Co-operative Societies to take prompt necessary steps to look into the disputes raised by the petitioner strictly in accordance with law and also take steps for conducting the election at the earliest but positively within a period of three months from the date of communication of this order.

A reasoned order shall be passed and communicated to all the necessary parties.

If it ultimately transpires that there is mismanagement in the affairs of the Society, then necessary remedial steps shall be taken by the Registrar.

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.

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(Amrita Sinha, J.)