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05.01.2023
d.p.

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

W.P.A. 24651 of 2022

**Pradip Mukherjee
-versus
The State of West Bengal & Ors.**

**Mr. Mrityunjoy Chatterjee,
Mr. Samrat Paul
...For the Petitioner.**

**Mr. Soumya Majumder,
Mr. Sougata Mitra.
...For the Municipality.**

**Mr. Lalit Mohan Mahata,
Mr. Rudranil De.
...For the State.**

**Mr. Tanweer Mondal,
Ms. Ankita Dey.
...For the Respondent
Nos. 6, 9 to 13, 15 to 17, 22
And 24.**

**Mr. Debapriya Majumder.
...For the Respondent
Nos. 7, 11, 17, 18 and 19.**

**Mr. Saibal Acharya,
Ms. Sofia Nesar.
...For the Respondent
Nos. 20, 23, 25 and 26.**

The petitioner being one of the elected councillors of Purulia Municipality submits that the Chairman-in-Council was not constituted in accordance with the provisions of law.

Reference has been made to an order dated 1st August, 2022 by the Chairman allocating business to the members of the Chairman-in-Council.

Reference has also been made to the notice of meeting dated 6th August, 2022, the resolution of the meeting dated 10th August, 2022 and 14th September, 2022.

The petitioner submits that the Municipality, in a back door method, is trying to approve the names of the Chairman-in-Council without placing the same before the Board of Councillors.

The aforesaid submission of the petitioner is denied by the learned advocates representing the other elected members of Purulia Municipality including the Chairman.

It appears from the documents annexed to the writ petition that the Chairman indeed passed an order on 1st August, 2022 allocating the business in favour of the members of the Chairman-in-Council. The names of the Chairman-in-Council are reflected in the order dated 1st August, 2022.

The majority members present in the meeting of the Municipality accepted the names as appearing in the order dated 1st August, 2022 as the members of the Chairman-in-Council.

In view of the above, there is no requirement of any interference in the matter.

The names appearing in the order dated 1st August, 2022 are the names of the members of the

Chairman-in-Council which was constituted by the Chairman of the Purulia Municipality.

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.)