

10
22.12.2023
d.p.

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

W.P.A. 26432 of 2023

**Ifte Jahan Khatun
-versus
The State of West Bengal & Ors.**

**Ms. Salma Sultana Shah.
...For the Petitioner.**

**Mr. Lalit Mohan Mahata,
Mr. Jagabandhu Roy.
...For the State.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner is aggrieved by the manner in which the Prescribed Authority and the Block Development Officer, English Bazar Development Block removed the petitioner as the leader of opposition by passing order on 13th October, 2023.

It appears that a petition was lodged for removal of the petitioner as the leader of the opposition. The same was considered by the Prescribed Authority and the petitioner stood removed by order dated 13th October, 2023.

Specific case of the petitioner is that the said order was passed without giving the petitioner an opportunity of hearing.

Though the petitioner filed representation against her removal, she was not given any opportunity to defend herself.

A detailed representation has been filed by the petitioner challenging the order dated 13th October, 2023. The same is yet to be considered and disposed of.

It appears from the documents available before this Court that there are allegations and counter allegations of not providing reasonable opportunity of hearing to all the parties at the time of taking a decision on the petition for removal of the petitioner as the leader of opposition.

To put the issue to rest once and for all, the Court thinks it appropriate to direct the Prescribed Authority and the Block Development Officer to reconsider the issue all over again after giving reasonable opportunity of hearing to all the necessary parties and by passing a reasoned order.

A decision shall be taken in the matter at the earliest, but positively within a period of four weeks from the date of communication of this order.

Learned advocate appearing for the petitioner is directed to forward a copy of the representation dated 16th October, 2023 to the aforesaid respondent at the time of communicating the order of the Court.

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.)