

Ct. 05
Item No.15
12.05.2023
(Suvendu)

WPA 28494 of 2022

Debjani Chatterjee & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Siddhartha Banerjee

Mr. Arnab Sinha

Mr. Dyutiman Banerjee

Mr. Amartya Basu

...for the petitioner

Mr. Simanta Kabir

Mr. Nirjhar Nath

Mr. Avik Pramanik

.....for the respondent nos. 4-8

Mr. V. Kothari

.....for the State

1. The affidavit of service is taken on record.

The answering respondent being the Registrar of Firms, Societies and Non-Trading Corporation, West Bengal (respondent no.2) is not represented.

2. The dispute is between the rival groups of members in a Society registered under the West Bengal Societies Registration Act, 1961. The petitioners claim to have made two representations to the Registrar on 17th May, 2022 and on 1st December, 2022 to take expeditious steps so that the elections in the Society can be held and a new Executive Committee can be formed.

3. Admittedly, none of the representations of the petitioners were responded to by the Statutory Authority.

4. Learned counsel appearing for the private respondents takes a point of maintainability of the writ petition on the ground that the first petitioner is not a member of the Society. However, Sections 22 and 23 the West Bengal Societies Registration Act, 1961 gives power to the Registrar to call for information /explanation or investigate into the affairs of the Society and this objection can well be gone into by the Registrar.

5. WPA 28494 of 2022 is accordingly disposed of with a direction on the respondent no. 2/ the Registrar Firms, Societies and Non-Trading Corporation, West Bengal to dispose of the representations of the petitioners by 26th May, 2023. The petitioners and the private respondents may be heard by the said respondent and the reasoned order passed upon hearing them will be communicated to the parties within a week from the date on which such decision is taken.

6. The supplementary affidavit filed on behalf of the petitioners is taken on record.

7. Urgent photostat certified copy of this order, if applied for be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)