

27.09.2023

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W.P.A. 7941 of 2020

Sri Dilip Sabal

Vs.

The State of West Bengal & ors.

Mr. Debashis Banerjee

Mr. Rakesh Jana

... for the petitioner

Mr. Milan Bhattacharjee

Mr. Madan Mohan Roy

... for the respondent nos.5,6 & 7

Heard Counsel appearing on behalf of the parties.

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the non-action on the part of Sahajadpur Samabay Krishi Unnayan Samity Limited with regard to non-crediting of a sum of Rs.15,00,000/- that was deposited with the said cooperative.

Counsel on behalf of the respondent nos.5 to 7 submits that there is an alternative relief under Section 102 of the West Bengal Co-operative Societies Act, 2006 read with Rule 166 of the West Bengal Co-operative Societies Rules, 2011.

In light of the same, I am of the view that this matter should be referred to the Registrar, Co-operative Societies as per Section 102 of the West Bengal Co-operative Societies Act, 2006.

The petitioner is, accordingly, directed to file a dispute as per Section 102 of the West Bengal Co-operative Societies Act, 2006 read with Rule 166 of the West Bengal Co-operative Societies Rules, 2011 within a period of three weeks from date.

The Registrar concerned is directed to act upon the said dispute and act in accordance with law expeditiously.

With the above observation, this writ petition is disposed of.

All parties are to act on the basis of *website* copy of this order.

(Shekhar B. Saraf, J.)