

Item No.35
26.04.2024
S.H.

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

W.P.A.7432 of 2024

**Md. Ashadul Haque
-versus
Birbhum District Central Co-operative Bank Limited
& Ors.**

**Mr. D.K. Sengupta
Ms. Sweta Saha
Ms. Farhin Mustaque
...For the Petitioner.**

**Mr. Srijan Nayak
Mr. Asis Dutta
... for the Registrar.**

The petitioner is a retired employee of Birbhum District Central Cooperative Bank Limited. He retired from service on January 31, 2013.

He is aggrieved by the order passed by the Co-operative Society on February 6, 2024 directing him to refund a sum of Rs. 50,90,432/- only as a part of his liability for embezzlement of funds of the bank.

It appears that there are several factual issues that are to be adjudicated for ascertaining the legality of the order passed by the bank. The dispute is between the employer and the employee.

It will be open for the petitioner to approach the Registrar of Co-operative Societies with his grievances and raise all points of law and fact before the said authority.

The Registrar shall take a decision in the matter in accordance with law at the earliest after affording opportunity of hearing to all the necessary parties.

It is clarified that the Court has not entered into the merits of the order passed by the Co-operative Bank and it will be open for the Registrar to decide all points in accordance with law.

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.)