

D/L.18.
November 11, 2024.
KAUSHIK

WPA No. 13236 of 2023

Halima Mallik & Ors.
Vs.
The State of West Bengal and Others

Mr. Amar Nath Sen
Mr. Amit Bikram Mahata

... for the petitioner.

Mr. Pinaki Dhole
Ms. Srabani Biswas

...for the State.

The grievance of the petitioner is directed against an order dated August 10, 2022 passed by the Block Development Officer (BDO), Kulpi Block, District – South 24 Parganas, *inter alia*, reconstituting the entire Board of the respondent no. 2.

It is submitted on behalf of the petitioner that the impugned Report has been filed without application of mind and is *ex facie*, perverse, illegal and non est.

On behalf of the State, it is submitted that in view of the fact that the subject 'Sangha' has been dissolved and the entire process for appointment of the members of the above 'Sangha' is to start afresh, the same is without authority of law, illegal and perverse.

It is also submitted on behalf of the State that the entire process of registration has been kept in hold due to the deliberate and willful inaction of the petitioners. The petitioners have not furnished the mandatory names in accordance with law and that is the real reason is for a stalemate in the entire process.

The above submission is vehemently disputed by the petitioner. It is submitted that all the names have been furnished in accordance with law.

Having heard the submissions made on behalf of the parties, WPA 13236 of 2023 stands disposed of by directing the District Magistrate, South 24 Parganas to take a decision insofar as the grievance of the petitioner is concerned. The above exercise should be completed within a period of four weeks from the date of communication of this order and after giving a right of hearing to all the affected parties.

In view of the embargo and/or stalemate created in the functioning of the above 'Sangha', the private respondents are restrained from taking any major financial decision except in the usual course of business for a period of four weeks from the date of communication of this order.

With the above directions, WPA 13236 of 2023 stands disposed of.

The above communication dated November 6, 2024 filed in Court today be kept with the records.

(Ravi Krishan Kapur, J.)