

WPA 23866 of 2024
Mamoni Khilari @ Mamoni Bagal
Vs.
State of West Bengal & Ors.

Mr. Samim Ahammed,
Ms. Anjana Mehebub,
Ms. Gulsanwara Pervin,
Mr. Aniruddha Singh

...for the Petitioner

Mr. Gangadhar Das

...for Respondent No. 5

Mr. Tanmoy Chattopadhyay

...for Respondent No. 6

The petitioner challenges an order dated September 2, 2024, by which the petitioner has been declared disqualified being member of Kenddangri Gram Panchayat under Section 213A (7) of the West Bengal Panchayat Act, 1973. The learned advocate representing the petitioner asserts that the petition filed for such a declaration was not in accordance with Section 213A (8) (b) of the West Bengal Panchayat Act, 1973.

In contrast, the learned advocate for respondent no. 6 contends that the petitioner has approached this Court with a deliberate misrepresentation, claiming that she was elected as an uncontested Pradhan, despite the fact that the election was, in reality, contested. The learned advocate for respondent no. 5 also vehemently opposes the petitioner's prayer. He submits that although the petitioner was elected as a candidate of the All India Trinamool Congress Party, she did not cast her

vote for that party; rather, she voted as an independent candidate to secure her position as Pradhan.

However, this Court is not inclined to examine the merits of the present writ petition. The order dated September 2, 2024, which is being challenged before this Court, is appealable to the District Panchayat and Rural Development Officer, as stipulated in a notification dated June 17, 1994, issued by the Panchayat and Rural Development Department.

In light of this, I am not inclined to entertain this writ petition. The petitioner is at liberty to pursue any remedies available to her, should she be entitled to do so in law.

Accordingly, **WPA 23866 of 2024** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)