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05.01.2024
Court No. 24
A.G.M.

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

W.P.A 25977 of 2023

**Balram Shaw
-versus
The State of West Bengal & Ors.**

**Mr. Soumya Mazumdar.
Mr. Nilratan Banerjee.
Mr. Prosenjit De.
Mr. Victor Chatterjee.
Mr. Aniruddha Mitra.
... for the petitioner.**

**Mr. D. K. Sengupta.
Ms. Sweta Saha.
...For the respondent no. 6.**

**Mr. Srijan Nayek.
Mr. Ankit Sureka.
Mr. Asis Dutta.
... For the respondent nos. 2 to 4.**

The petitioner, one of the members of the Amulya Kanan Co-operative Housing Society Ltd. (Phase-I), is aggrieved by the cost of maintenance and facilities which has been decided in the resolution of the Board of Directors.

According to the petitioner, the same is not in accordance with provisions of law.

The petitioner has sought for answer to the queries under the Right to Information Act, 2005 from the SPIO, Additional Registrar of Co-operative Societies but the same is yet to be intimated to the petitioner.

Learned advocate representing the Housing Society Limited submits, upon instruction that, the resolution of the Board of Directors was confirmed in the Special General Meeting where the petitioner was present.

It has been submitted that the resolution of the Special General Meeting was forwarded to the Additional Registrar of Co-operative Societies and the same has been affirmed vide Memo. No. 2267/1-132/2003 dated 27th September, 2023.

Copy of the said order has been produced before this Court and a copy of the same has been handed over to the learned advocate representing the petitioner in Court today.

It appears therefrom that the Additional Registrar of Co-operative Societies has approved the decision of the Special General Meeting held on 8th January, 2023 and 16th April 2023 fixing new rate for maintenance and service charges.

It further appears from the document placed in Court today that the Additional Registrar of Co-operative Societies has already approved the decision of the Co-operative Society. If the petitioner is aggrieved by the same then it will be open for the petitioner to approach the appropriate forum for relief.

No further relief can be granted to the petitioner in the instant writ petition.

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.)