

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 28487 of 2023
Kalpana Jana
-versus
The State of West Bengal & Ors.

Mr. Gobinda Chandra Baidya
... for the petitioner.

Mr. P.K.Roy
Mr. Ankit Sureka
Mr. P.S.Roy
... for the respondent nos. 2,3 & 4.

Mr. Debajyoti Deb
Mr. Bishnupadaa Naskar
Ms. S. Parekh
... for the respondent nos. 8 to 13.

The petitioner claims to be the Secretary of a Cooperative Society.

The grievance of the petitioner is that the private respondent no. 8 has forcefully removed the petitioner from the post of Secretary and assumed the charge of Secretary contrary to the provisions of law.

The petitioner refers to the order dated September 23, 2019 passed by the Registrar of Cooperative Societies vide Memo No. 4377 mentioning that the First Board which has been constituted at the time of registration shall continue till election of new Board is held.

The petitioner contends that the election of new Board has not been held and accordingly she ought to be permitted to act as the Secretary of the Cooperative Society.

Representation has been made by the petitioner before various authorities including the Assistant Registrar of Cooperative Societies. There is no response from the end of the respondent authority.

Learned advocate representing the private respondent denies the allegation of the petitioner.

On a perusal of the objection filed by the petitioner it appears that the same has not been addressed to the proper authority.

In view of the above, the instant writ petition is disposed of by granting liberty to the petitioner to file a comprehensive representation highlighting all the illegalities to the Assistant Registrar of Cooperative Societies. If such a representation is made, the same shall be considered and disposed of by the Assistant Registrar of Cooperative Societies in accordance with law after giving reasonable opportunity of hearing to all the necessary parties by passing a reasoned order at the earliest but positively within a period of six weeks from the date of receipt of the representation from the petitioner.

The writ petition stands disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)