

06.03.2025
Item No. 189
Ct. No. 15
AN

WPA 3400 of 2025

**Victor Prem Prasad Sharma & ors.
vs.
The State of West Bengal & ors.**

Md. Salahuddin
Md. Raziuddin

... for the petitioners

Mr. Srijan Nayak
Mrs. Rituparna Maitra

... for the State

Mr. P. K. Roy
Mr. Asis Dutta

... for respondent nos. 2 & 3

Mr. Dhiman Kumar Sengupta
Ms. Farhin Mustaque

... for respondent no. 4

The petitioners challenge the sale notice, which appears at page 18 of the writ petition. The petitioners had taken a loan of Rs. 1,61,850/- from the Rampurhat Cooperative Agriculture and Rural Development Bank Limited. It is undisputed that they were unable to repay the loan, resulting in the accrual of interest amounting to Rs. 91,038/-. Consequently, the sale notice was issued at the behest of the Cooperative Society.

Counsel for the petitioners submits that they are willing to repay the outstanding amount, provided a suitable installment plan is offered.

On the other hand, counsel for the respondent Society contends that the petitioners should address the

sale notice under Rule 191(E) of the West Bengal Cooperative Societies Rule, 2011. However, on humanitarian considerations, I direct the petitioners to submit a proposal to the Society for the settlement of the outstanding dues. Should the Society accept the proposal, the petitioners shall be granted an appropriate installment plan for the repayment of the outstanding amount.

The petitioners are directed to submit their representation to the Society within two weeks from the date of this order, and the Society shall consider the proposal within two weeks thereafter, after hearing the petitioners. It is clarified that the Society may exercise its discretion in considering the petitioners' proposal.

In accordance with the above order, the impugned sale notice shall be stayed for a period of six weeks from the date of this order. If the proposal is not accepted, the sale notice shall stand revived after six weeks.

Accordingly, **WPA 3400 of 2025** is disposed of.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Kausik Chanda, J.)