

195 06-03-2025
AKG
Ct. 15

WPA 4341 of 2025
Bankura District Central Co-operative Bank Limited
Vs.
The State of West Bengal & Ors.

Mr. Ashit Kr. Chakraborty, Mr. Sunanda Mohan Ghosh	...for the Petitioner
Mr. Bhaskar Prasad Vaisya, Mr. Suman Dey	...for DPSC, Bankura
Mr. Biswajit Saw, Mr. Biman Halder	...for the State

Let the affidavit of service filed by the petitioner be kept on record.

The postal articles sent by respondent No. 6 have been returned with the endorsement "Refused."

The petitioner facilitated a personal loan of Rs.2 lakh in favor of respondent No. 6.

Learned counsel for the petitioner submits that respondent No. 6 has defaulted in making the repayment, and as of January 4, 2025, there is an outstanding amount of Rs.1,31,192/- as the principal amount and Rs.1,25,135/- as interest, owed by respondent No. 6 to the petitioner.

Attention has been drawn to a letter dated August 16, 2022, issued by the office of the District Primary School Council, Bankura, requesting respondent No. 6 to repay the outstanding loan to the petitioner.

It is further submitted by the learned counsel for the petitioner that despite receiving such a letter, respondent No. 6 has failed to repay the outstanding dues.

Indeed, under Section 59 of the West Bengal Co-operative Societies Act, 2006, the District Primary School Council, the employer of respondent No.6 is obligated to clear the outstanding dues to the petitioner through salary deductions in the event of default.

However, since respondent No.6 is not represented before this Court today, I dispose of the matter with the following directions:

The Chairman, District Primary School Council, Bankura, shall convene a meeting with petitioner and respondent No.6 within one month from the date of communication of this order.

Respondent No. 6 shall be at liberty to request a reduction in the interest component to the petitioner. The petitioner is required to consider such a request.

After hearing both the petitioner and respondent No. 6, the Chairman of the District Primary School Council, Bankura, shall invoke Section 59 of the West Bengal Co-operative Societies Act, 2006, and pass necessary orders for the repayment of the loan amount through monthly salary deductions from respondent No. 6.

The petitioner shall communicate this order to respondent No. 6 and the District Primary School Council.

Accordingly, **WPA 4341 of 2025** is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)