

13.11.2025

Daily List Sl.98
Court No. 24
Moumita

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

W.P.A. 10012 of 2025

**Rajat Singha @ Sinha
Vs.
The State of West Bengal & Ors.**

**Mr. Uday Sankar Chattopadhyay
Ms. Sadia Parveen
Mr. Pronay Basak
Ms. Bidisha Chakraborty
....for the Petitioner**

**Mr. Srijan Nayak
Ms. Rituparna Maitra
Mr. Partha Sarathi Pal
....for the Respondent no. 3**

1. Affidavit-of-service, as filed, be kept with the record.
2. The petitioner alleges that an outstanding amount of approximately 20 lakh, due to him, on account of retiral dues and fixed deposit made by him with the cooperative society is being withheld. These disputes were referred to an arbitrator by the concerned authority on January 25, 2024, under Section 102 of the West Bengal Co-operative Societies Act, 2006 (hereinafter the Act).

3. It is not in dispute that in terms of Section 103 of the Act, the arbitrator is to complete the proceeding and decide the matter within 6 months from the date of receipt of the disputes filed before the Registrar.
4. With an extension as provided for in Section 103 (5)(b) of the Act, a further extension of 6 months can be given. This period has expired on January 24, 2025 as the reference was made on January 25, 2024.
5. In view thereof, the arbitrator has been denuded of his jurisdiction by the operation of the statutory provision as envisaged under Section 103 of the said Act.
6. In the aforestated circumstances, the respondent no. 3 is directed to appoint an arbitrator afresh to decide the matter and dispose of the same within the statutory mandated period of 6 months from the date of receipt of his appointment from the respondent no. 3.
7. With the aforestated direction, this Writ Petition being **WPA 10012 of 2025** is **disposed of.**

8. There shall, however, be no order as to costs.
9. Urgent Photostat Certified copy of this order be given to the parties, if applied for.

(REETOBROTO KUMAR MITRA, J.)