

20.05.2025
sayandeep
Sl. No. 15
Ct. No. 05

WPA 10618 of 2025

Analberia High School (HS) Employees Co-
operative Credit Society Ltd.

Vs.

State of West Bengal & ors.

Mr. Tarun Kr. Das
Mr. Narayan Nayak
Mr. Hari Pada Nayak
Mr. Pratap Kr. Yadav
Ms. Suprita Nayak

.....for the petitioner

Mr. Srijan Nayak
Mrs. Rituparna Maitra
Mr. Partha Sarathi Pal

....for the respondent
Nos. 5,6

1. Affidavit-of-service filed in Court today be kept on record.
2. The instant writ petition has in fact been filed, *inter alia*, praying for enforcement of a statutory agreement executed under Section 59 of the Co-operative Societies Act, 2006 (hereinafter referred to as the said Act). It is the petitioner's case that a sum of Rs. 14,33,000/- had been advanced to the respondent No. 12 by an agreement dated 1st June, 2021.
3. According to the petitioner, the respondent No. 12 defaulted in making payment of the installments which compelled the petitioner to send a reminder dated 13th February, 2025. A further reminder was issued on 22nd February, 2025 calling upon the respondent No. 12 to make payment. By the aforesaid reminders the petitioner had duly notified the

respondent no.12 that failure to make repayment of the loan would invite consequential steps. The petitioner would submit that despite the above, the respondent No. 12 is not making payment of the aforesaid sum. I, however, find that no requisition as required under Section 59 of the said act has been issued by the petitioner calling upon the employer of the respondent no.12 to recover the loan amount from the salary of the respondent no.12. Having regard thereto, this Court is unable to afford any relief to the petitioner in absence of the requisition under Section 59 at this stage.

4. With the above observations and directions, the writ petition is dismissed without any order as to costs.
5. The dismissal of the aforesaid writ petition shall however, not stand in the way of the petitioner from applying before the appropriate authority for recovery of the claim in the manner specified in the said Act.

(Raja Basu Chowdhury, J.)