

10.12.2025.

**57
Ct.No.24.
as**

WPA 17752 of 2022

**Bimalendu Pradhan
Vs.
The State of West Bengal & Ors.**

Mr. Debasish Das.
...for the Petitioner.

Mr. Pradip Kr. Roy, Ld. Sr. Adv.,
Mr. Partha Sarathi Pal,
Mr. Asis Dutta.
...for the Respondent Nos.2 & 3.

Mr. Kamal Krishna Pathak,
Mr. Narayan Nayak,
Mr. Haripada Nayak.
...for the Respondent Nos.4 & 6.

1. Affidavit of service as filed, be kept on record.
2. The petitioner is aggrieved by his dismissal as the Manager of the respondent No.4.
3. His principal grievances are that the entire proceeding has been initiated by a *persona non designata*. The Secretary, who had issued the show cause notice on September 14, 2021, was himself a defaulter and was subsequently removed as such on October 5, 2021.
4. He is also aggrieved by the fact that no copy of the enquiry report was given to him, to enable him to deal with such findings of the enquiring body. The petitioner is also aggrieved that the very Secretary, who had initiated the disciplinary proceeding against him, leading to his

termination of his service, was himself a defaulter, who was ultimately removed from service on October 5, 2021.

5. Mr. Pathak for the respondent Nos.4 and 6 and Mr. Roy for the respondent Nos.2 & 3 submit that the petitioner has an alternative and efficacious and more importantly a statutory remedy available to him as stipulated in Rule 106 of the West Bengal Co-operative Societies Rules, 2011.

6. Heard the learned Counsel for the parties and perused the records.

7. It cannot be denied that there is a statutory remedy available to the petitioner to ventilate all his grievances before the Appellate Authority, which is the General Body of the Society, of which he was the Manager.

8. The petitioner states that a sum slightly in excess of Rs.1,42,000/- was lying in his account payable to him on account of his salary. The petitioner states that an opportunity be given to him to withdraw such money.

9. The petitioner is directed to make an appropriate application before the Appellate Authority, the General Body of the respondent No.4 by January 15, 2026.

10. The petitioner will be entitled to take back the sum of money lying in his account being Account No.14301160 maintained with the respondent No.4, upon furnishing a bank guarantee of equivalent amount from a Nationalized Bank, which should have a minimum validity period of three months.

11. The respondent No.4 is directed to dispose of the appeal, if filed by the petitioner within March 31, 2026.

12. With the aforestated direction, the writ petition is disposed of.

13. There shall be no order as to costs.

14. Since affidavits have not been called for, allegations contained in the petition are deemed to have been denied.

15. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking. e

(Reetobroto Kumar Mitra, J.)