

0212
2025
TUESDAY

Court : MB-24
Item : AD-04
Status : DO
ID : 266312
AR : NANDY

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 17373 OF 2025

ASHOKE MAITY
VS.
THE STATE OF WEST BENGAL & ORS.

Mr. Anindya Bose, Advocate
Mr. Sujbhayu Das, Advocate
Mr. S. Maji, Advocate
Mr. Debdipto Banerjee, Advocate
Mr. Mridul Biswas, Advocate
Ms. Raina Das, Advocate

.....for the Petitioner

Mr. Ankit Sureka, Advocate
Mr. Biplab Das, Advocate
Mr. Partha Sarathi Pal, Advocate

.....for the Respondent Nos. 5, 6 & 7

Mr. Saptak Sanyal, Advocate
Mr. Debraj Sahu, Advocate

.....for the State

1. Affidavit of service, as filed, be kept with the record.
2. Mr. Bose, learned Advocate appearing for the petitioner submits that the respondent Cooperative Society has refused to accept service and is not interested to defend the matter.
3. The petitioner's grievance is that his retiral benefits have not been disbursed, since he has demitted office sometime in 2018. In fact, a letter has also been issued by the respondent no. 6 on 08.09.2021 directing the Secretary of the Society to take immediate steps to proceed with the payment of gratuity, leave encashment and other retiral benefits in accordance with the provisions of the West Bengal Cooperative Societies Act, 2006 (hereinafter as the said Act) and the relevant Rules thereunder. In spite of such notice, the Society has maintained an ominous silence over a period of time.
4. The petitioner admits that an alternative and

efficacious remedy is available to him under Section 102 of the said Act and seeks leave to proceed thereunder by making application.

5. The concerned Registrar is directed to deal with the application either by himself or by any competent person duly authorized by him, who shall dispose of the application within a period of six months from the date of making such application.
6. With these afore-stated directions, **WPA 17373 of 2025** is **disposed of**. No order as to costs.

(REETOBROTO KUMAR MITRA, J.)