

16.09.2025
sayandeep
Sl. No. 05
Ct. No. 05

WPA 18215 of 2025

Abahan Co-operative Housing Society Limited & anr.
Vs.
The State of West Bengal & ors.

Mr. Samrat Dey Paul

..... for the petitioners

Mr. Nilotpal Chatterjee
Mr. Debraj Sahu

....for the State

Mr. Srijan Nayak
Mr. Ankit Sureka
Mr. Asis Dutta

....for the respondent No. 2

Mr. Deepnath Roy Chowdhury

..... for the respondent No. 4

1. Challenging the order dated 29th July, 2025 issued by the Joint Registrar of Cooperative Societies, rejecting the petitioners' application for withdrawal of the dispute case from Sri Subrata Das, CDO, the present writ petition has been filed.
2. The parties would agree that without keeping the above writ petition pending, it would be prudent to appoint a fresh arbitrator who would take up hearing of the dispute from the stage up to which the present arbitration proceedings has been continued or in other words, till date of filing of the application for withdrawal of the reference of the dispute from Sri Subrata Das, CDO.
3. Having regard thereto, I am of the view that respondent No. 2 should appoint a new arbitrator from amongst the panel and the issue in the arbitral proceedings may be resolved within a period of two months from the date when the new incumbent takes charge.

4. Learned advocates for the parties present in Court would assure the Court that the parties shall not seek any unnecessary adjournments and co-operate with the newly appointed arbitrator for early disposal of the dispute case.
5. It is made clear that this Court has not gone into the merits of the issues raised by the petitioners in the present petition.
6. Since no affidavit is called for, the allegations made in the petition are deemed not to have been admitted by the respondents.
7. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)