

**16.09.2025**  
**sayandeep**  
**Sl. No. 07**  
**Ct. No. 05**

**WPA 18597 of 2025**

Hari Shanker Almal  
Vs.  
The State of West Bengal & ors.

Mr. Indranil Nandi  
Ms. Jyoti Singh

..... for the petitioner

Mr. Srijan Nayak  
Mr. Ankit Sureka  
Mr. Biplab Das

....for the respondent Nos. 2 & 3

Mr. Kamal Krishna Pathak  
Mr. Souvik Maji

....for the respondent No. 4

1. On the basis of the complaint dated 20<sup>th</sup> June, 2023, the Joint Registrar of Cooperative Society, KMAH by an order dated 4<sup>th</sup> August, 2023 had directed one Mr. Tariq Sayeed, Cooperative Development Officer attached to KMAH Cooperation Directorate to enquire into the affairs of the Eastern Cooperative Housing Society Limited situated at 'Trimurti', 4, Lower Rawdon Street, Kolkata 700020 in terms of Section 100(1) of the West Bengal Cooperative Societies Act, 2006 (hereinafter referred to as the said Act). Pursuant to aforesaid though an enquiry was conducted on 18<sup>th</sup> August, 2023, no such enquiry report was disclosed to the petitioner. Later only after the petitioner had made an application under the RTI Act, 2005, the petitioner had been favoured with the enquiry report dated 6<sup>th</sup> June, 2024.
2. Having heard the learned advocates appearing for respective parties, I find that in the instant case, the enquiry that was directed to be conducted by order dated 4<sup>th</sup> August, 2023,

also provided that the report should be filed within one month.

3. In the instant case, though the enquiry was conducted on 8<sup>th</sup> August, 2023, it appears that the report is dated 6<sup>th</sup> June, 2024. Although Mr. Pathak, learned advocate would submit that the report had been prepared earlier no such report had been placed before this Court. Mr. Nayak, learned advocate representing the respondents, however, confirm the fact that the document appearing at page No. 15 of the writ petition dated 6<sup>th</sup> June, 2024 is in fact the enquiry report. He would, however, submit that the aforesaid report is revisable in nature. I, however, notice that though the Joint Registrar of Cooperative Society had appointed an enquiry officer and directed him to enquire into the allegation/complaints of the petitioner and though such enquiry was conducted, the report has surfaced more than a year thereafter. The same also appears to be contrary to the direction issued by the Registrar of Cooperative Society.
4. Having regard thereto, I am of the view that the belated report of this nature cannot be accepted. In view thereof, while setting aside the report dated 6<sup>th</sup> June, 2024, I direct the respondent No. 2 to appoint a fresh enquiry officer for conducting the enquiry into the complaints leveled by the petitioner as recorded in his complaint letter dated 20<sup>th</sup> June, 2023.
5. Let it be recorded that Mr. Pathak, learned advocate representing the respondent No. 4 does not oppose to the fresh appointment of an enquiry officer by the respondent No. 2. Needless to mention that the enquiry shall be conducted

upon notice to the parties and report thereof shall also be circulated.

6. With the above observations and directions, the writ petition is disposed of.

**(Raja Basu Chowdhury, J.)**