

M/L1153
24.04.2025
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 23343 of 2024

Adhir Dutt
Versus
State of West Bengal & Ors.

Mr. Srinjoy Das
Mr. Arvind Kumar Singh
... For the petitioner.

Mr. Srijan Nayak
Mrs. Rituparna Maitra
... For the State.

Mr. P. K. Ray, Sr. Advocate
Mr. Partha Sarathi Pal
... For the respondent nos.2 & 3.

Mr. S. Ghosh
Mr. B. Nandy
... For the respondent nos. 4 and 5.

1. The petitioner is aggrieved with the failure to follow transparent policy while allotting a flat in his favour by the respondent no.4.
2. Upon considering the averments made in the writ petition and upon hearing the parties, it *prima face* appears that the matter pertains to a dispute between the members of the cooperative society in relation to the management or business or affairs of the cooperative society.
3. Having regard thereto, I am of the view since the petitioner has an alternative remedy in the form of settlement of dispute as provided for in

Section 102 of the West Bengal Cooperative Societies Act, 2006, the petitioner should approach the concerned Registrar of Cooperative Societies.

4. Since this matter has been pending before this Court for some time and the above writ petition is being dismissed on the ground of alternative remedy, I am of the view that in the event the petitioner approaches the concerned Registrar of Cooperative Societies, West Bengal, the Registrar shall having regard to the order passed herein decide the dispute case in accordance with law as provided for in the statute on merits.

Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Raja Basu Chowdhury, J.)