

06.05.2025
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Ct. No. 05

WPA 23491 of 2024

Sri Krishnendu Nanda
Vs.
The State of West Bengal & ors.

Mr. Asit Kr. Bhattacharya
.... for the petitioner

Ms. Sabnam De Bardhan
Ms. Rupsha Chakraborty
..... for the State

Mr. Arnab Ray
Mr. Sirsho Banerjee
.....for the respondent No. 4

Mr. P. K. Roy
Mr. Biplab Das
Mr. Partha Sarathi Pal
..... for the Registrar Cooperative
Society

1. The instant writ petition has been filed, *inter alia*, praying for a direction upon the respondent No. 4 to release a sum of Rs. 3,58,777/- from the Bank account of the petitioner lying with Katwa-II Development Block and Katwa-II Panchayat Samiti Employees Co-operative Credit Society limited. Records would reveal that by letter dated 2nd August, 2024, the respondent No. 4 had notified the petitioner that consequent upon the petitioner being transferred from Katwa-II Development Block to Purbasthali-I Block on 2nd January, 2023, a sum of Rs. 1,28,381/- is due and payable to the petitioner up to 31st July, 2024 after adjustment of the loan.
2. Mr. Arnab Ray, learned advocate representing the respondent No. 4 would submit that the petitioner did not accept the aforesaid amount nor did he take any steps for resolving the dispute and as such the aforesaid sum of Rs. 1,28,381/- has not been disbursed in favour of the petitioner. According to him, the claim

made by the petitioner in the petition does not have any basis and no documents have been produced to substantiate such claim.

3. Having heard learned advocates representing the respective parties and noting that the respondent No. 4 has already acknowledged that a sum of Rs. 1,28,381/- is payable to the petitioner, I am of the view that respondent No. 4 should forthwith makeover the aforesaid sum to the petitioner and the petitioner shall be at liberty to accept the same without prejudice to his rights and contentions to his claim of Rs. 3,58,777/-.
4. Insofar as the balance claim of the petitioner is concerned, I am of the view that having regard to the fact that the monetary claim of the petitioner which is in the form of a dispute concerning the management or business or affairs of the Co-operative Society and having regard to the provisions contained in Section 102 of the Co-operative Societies Act, 2006, no further order need to be passed in the present petition. The petitioner shall be at liberty to raise a dispute before the concerned Registrar of Co-operative Societies. In the event, such dispute is raised within a period of 6 weeks from the date of disbursal of the admitted amount by the respondent No. 4, the concerned Registrar shall decide the same in accordance with law preferably within a period of 16 weeks from the date of filing such dispute.
5. Insofar as the petitioner's complaint dated 9th July, 2021 appearing at page-12 of the writ petition is concerned, it appears that a police case has already been initiated as would corroborate from the report filed by the Inspector-in-Charge, Katwa P.S., Purba Bardhaman dated 19th September, 2024. The same is taken on record. Having regard thereto, I am of the view that no further order is called for in this regard.

6. With the above observation and directions, the writ petition is disposed of. There shall be no order as to costs.
7. Since no affidavit-in-opposition has been called for, the allegations made in the petition are deemed not to have been admitted by the respondents.

(Raja Basu Chowdhury, J.)