

03.12.2025.
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Ct.No.24.
as

WPA 23734 of 2025

Smt. Archana Manna
Vs.
The State of West Bengal & Ors.

Mr. Madan Mohan Roy,
Ms. Sanchayita De.
...for the Petitioner.

Ms. Sumita Shaw,
Mr. Soumen Chatterjee.
...for the State.

Ms. Madhushri Dutta.
...for the Respondent Nos.2 & 7.

Mr. Samiran Mandal,
Mr. Nitish Samanta,
Ms. Shreyashee Mitra.
...for the Respondent Nos.3 to 6.

Mr. Ankit Sureka,
Mr. Biplob Das,
Mr. Partha Sarathi Pal.
...for the Respondent No.8.

1. Affidavit of service as filed, be kept on record.
2. The Registrar of Societies is impleaded as a party respondent hereto.
3. Mr. Roy is directed to add the concerned Registrar as a party respondent.
4. Office is directed to implead the said respondent and make necessary inclusion in the petition.
5. Mr. Roy appearing for the petitioner is aggrieved by the fact that the respondent No.7 has disbursed her father's money lying in the bank accounts, fixed deposits and lockers exclusively to the respondent No.3, the mother.

6. Mr. Samanta appearing for the respondent Nos.3 to 6 submits that the money was released/disbursed in favour of the respondent No.3, as she was the nominee in respect of these aforestated bank accounts, fixed deposits and lockers.

7. Ms. Shaw appearing for the respondent No.1 submits that the writ petition may not be maintainable, as the respondents on whom issuance of writs have been prayed for do not fall within the realm of Article 12 of the Constitution of India and are hence not amenable to the writ jurisdiction of this Hon'ble Court.

8. Mr. Sureka appears for the added respondent and also takes the point of maintainability.

9. I have heard the learned Counsel appearing for the parties.

10. It is well accepted proposition that availability, of an alternative and efficacious remedy ought to be availed by a litigant prior to rushing to the Writ Court.

11. In addition to the aforestated, it is also undeniable that the respondent Nos.2 to 7, the answering respondents herein, do not qualify as State under Article 12 of the Constitution of India and, thus, not amenable to the writ jurisdiction of this Hon'ble Court.

12. In view of the aforestated, I am not inclined to entertain the writ jurisdiction of this Hon'ble Court. The petitioner is at liberty to approach the designated authority under Section 102 of the West Bengal Co-operative Societies Act, 2006, if so advised.

13. In view of the aforestated, the writ petition stands dismissed.

14. There shall, however, be no order as to costs.

15. Since affidavits have not been called for, the allegations contained in the petition are deemed to have been denied.

16. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)