

127. 16.12.2025
Court No.24.

(Pritam)

WPA 27160 of 2025.

Sachindra Nath Bera.

-Vs.-

State of West Bengal & Ors.

Mr. Pabitra Charan Bhattacharjee,
Mr. Sovan Nayak.

....for the petitioner.

Mr. Ankit Sureka,
Mr. Partha Sarathi Pal.

.....for the respondent nos.2 & 3.

Mr. Arnab Ray,
Mr. Shirsho Banerjee.

.....for the respondent nos.4 to 6.

1. The petitioner challenges the propriety of a communication dated 30th July, 2025 by the respondent no.3 that the petitioner's dispute case instituted against the Co-operative-bank was not maintainable under Section 102 of the West Bengal Co-operative Societies Act, 2006 (hereinafter referred to as the "said Act"), as it arose out of a disciplinary action taken by the respondent-bank relating to terms and conditions of the service.
2. To appreciate the entirety of the case, it is pertinent to briefly state the facts in a nutshell.
3. The petitioner was engaged as a Manager in the respondent-bank and was charged with commitment of a wrong while discharging his duties. A punishment was

also awarded to the petitioner, which he had accepted. The proceeding, thus, came to an end with the acceptance of the punishment by the petitioner. The punishment awarded to the petitioner was reduction of three increments which was accepted by the petitioner.

4. It was only thereafter, that the petitioner had approached the bank stating that he was entitled to an increment for his balance years of service (two years).
5. As the bank did not agree to the demand of the petitioner in monetary terms, the petitioner had approached the respondent no.3 by filing a dispute case, which was rejected by a communication dated 30th July, 2025.
6. I have heard the learned counsel appearing for the respective parties.
7. It appears that the petitioner had accepted the reduction in increment without challenging the same in any manner whatsoever. Upon such acceptance, the entire disciplinary proceeding had come to an end and nothing further remained in such proceeding.
8. The demand made by the petitioner for increment for the balance years of service left, as afore-stated, does not in any manner fall within the purview of the disciplinary action.
9. In view thereof, the respondent no.3 has wrongly held that the dispute case of the petitioner is not covered under Section 102 of the said Act as it arose out of a disciplinary action.

10. In view of the afore-stated, the administrative communication dated 30th July, 2025 is set aside.
11. The petitioner will be at liberty to approach the concerned Registrar under Section 102 of the said Act, which shall be disposed of in accordance with law and within the time stipulated under the Act.
12. With these afore-stated directions, the writ petition is disposed of.
13. There shall be no order as to costs.
14. Urgent photostat certified copy of this order may be supplied to the parties, upon compliance of all formalities, if applied for.

(Reetobroto Kumar Mitra, J.)