

13.01.2025.
Item No. 74.
Court No. 32
ap

W.P.A. No. 11427 of 2020

**Siddhartha Sankar Pal & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Anant Kumar Shaw,
Mr. Mainak Ganguly.

...For the petitioners.

Mr. Srijan Nayak,
Mrs. Rituparna Maitra.

...For the State.

1. The writ petitioners being the Members of original Technical Supervising Staff Association, established in the year 1965 being Registration No. S6957 under the West Bengal Societies Registration Act, 1961, claiming themselves that they are the members of the said Association but in fact private respondent nos. 4, 5 & 6 are running and managing their respective affairs with different identities of the three Associations in the same name and number being S/6957.

2. The writ petitioners have also informed the said state of affairs of the said three Associations on 1st April, 2016 and 19th May, 2016 (Annexure Nos. 14 and 15) to the Registrar of Forms, Societies and Non-Trading Corporation, Government of West Bengal.

3. Despite the said informations/representations, no steps have been taken to unearth the truth to protect the interest of the members by the respondent

no. 2. Furthermore, there is also implication of Finance.

4. None appears on behalf of the private respondents though they have filed the affidavit-in-opposition.

5. It is the allegation of the writ petition that there are three Associations running in the same name and registration number, which is required to be enquired and find out the actual truth.

6. The Statute specifically permits the Registrar to call on a Society to furnish in writing such information and explanation within such time, not being less than two weeks from the date of receipt of the order by the Society, as he may specify in the order in connection with the affairs of the Society or any document filed by the Society under the said Act of 1961.

7. In view of the facts as above, it would be subserved the purpose if the Registrar being the respondent no. 2 herein directs to enquire the matter after affording an opportunity of hearing to all the necessary parties and decide that which Association is the original one and take appropriate steps against those, who are running the Association in the original name and registration number, in accordance with law.

8. The instant writ petition shall be treated as representation of the petitioners.

9. The aforesaid exercise shall be completed within eight weeks from the date of communication of a copy of this order along with copy of writ petition and shall communicate a reasoned order to the writ petitioners.

10. Whatsoever allegations made by the writ petitioners in this writ petition are deemed not to be admitted by the respondents as this Court is not gone into the merits of the case.

11. With the aforesaid observations, the writ petition is, thus, disposed of.

12. The writ petitioners are directed to communicate this order duly downloaded from the official website of this Court along with the instant writ petition to the respondent no.2.

13. There will be no order as to costs.

14. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Ajay Kumar Gupta, J.)