

D/L- 130
10/02/2026
Ct. No.-19
Aritra

WPA 1869 of 2026

**M/s. Roy Enterprise rep. by its sole
Proprietor Mr. Debasis Roy
Vs.
Saktinagar Samabaya Krishi
Unnayan Samity Ltd. & Ors.**

Mr. Timir Baran Saha
Mr. Prabir Mazumder

....for the petitioner

Mr. Snehansu Majumder

....for the respondent Nos.1 & 5

Mr. Sanjib Das

....for the State

Mr. Pradeep Kr. Roy, Sr. Adv.
Mr. Ankit Sureka

....for the added respondent No.7

Affidavit of service filed in Court today is taken on record.

The petitioner claims to have completed the job awarded to the petitioner pursuant to the work order dated May 26, 2022.

The present grievance of the petitioner is that the respondent authorities have not released the payment to the petitioner in spite of the fact that the petitioner has completed the work under the work order subject to the satisfaction of the authorities. The petitioner submitted a representation dated October 10, 2025 before the Secretary, Saktinagar S.K.U.S. Ltd.

The learned advocate appearing for the petitioner submits that in spite of receipt of such representation, no decision on such representation has been communicated by the respondent authorities to the petitioner till date.

The learned advocate appearing for the respondents submits that the decision on such representation shall be communicated within the time limit as may be fixed by this Court.

State is represented by its learned advocate.

When this matter is taken up for hearing, Mr. Sureka, learned advocate appears and submits that the Registrar of Co-operative Society is a necessary party in this matter as the dispute is relating to a claim in respect of a sum payable by the Co-operative Society to the petitioner.

Faced with such situation, the learned advocate appearing for the petitioner prays for leave to add the Registrar of Co-operative Society as a party respondent in this writ petition.

Let such amendment in the cause title of the writ petition be carried out here and now.

Since Mr. Sureka appears, let an amended copy of the writ petition be served upon Mr. Sureka by the learned advocate for the petitioner.

Mr. Sureka submits that a dispute relating to a claim in respect of a sum payable by a co-operative society falls within the definition of "Dispute" under Section 4(25)

of the West Bengal Co-operative Societies Act, 2006. By referring to Section 102 of 2006 Act, he submits that such a dispute is to be filed before the Registrar in a prescribed format. He further submits that the petitioner has not approached the Registrar for resolution of such a dispute.

Since a dispute with regard to claim of a sum payable to the petitioner by the co-operative society has been raised, WPA 1869 of 2026 stands disposed of by giving liberty to the petitioner to file an appropriate dispute case before the concerned Registrar. If such a dispute case is filed, the concerned Registrar of Co-operative Society shall dispose of the same as expeditiously as possible but positively within a period of 12 weeks from the date of filing of such dispute case.

It is however, made clear that this Court has not gone into the merits of the claim and counter-claim made by the respective parties and all points are left open to be considered by the Registrar in accordance with law.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)