

WPA 5399 of 2026

Sakiluddin & Ors.
Vs.
The State of W. B. & Ors.

Mr. Robiul Islam
Mr. Masooq Rahman ...for the petitioners.

Mr. Sirsanya Bandopadhyay
Mr. Tarak Karan ...for the State.

Affidavit of service filed by the petitioners and written instruction submitted by the State are taken on record.

Learned counsel for the petitioners submits that despite submission of a no confidence motion against the Pradhan, 12 No. Juranpur Gram Panchayat before the prescribed authority in terms of Section 12(2) of the West Bengal Panchayat Act, 1973, no step has been taken by the prescribed authority in accordance with Section 12(3) of the Act.

Though the written instruction submitted on behalf of the prescribed authority/Block Development Officer states that the petitioners have not complied with Section 12(2) of the Act, it is crystal clear from the record that the said provision has been complied with.

It is most unfortunate to note that the prescribed authority has either not understood the purport of the provision or has deliberately chosen not to understand the same.

In any event, since the requisition notice submitted by the petitioners is in form, the prescribed authority/Block Development Officer, being the 4th respondent herein, is directed to convene the meeting in terms of Section 12 (3) of the Act by issuance of notice within 5 days from date. The said respondent shall comply with Section 12 of the Act in its true letter and spirit.

The writ petition is disposed of.

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

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)