

24.03.2026
Item No.18
Court No.12
CP

MAT 446 of 2026
with
CAN 1 of 2026

Sk. Ashik Ikbāl
Vs.
The State of West Bengal & Ors.

Mr. Pratip Kumar Chatterjee, Sr. Advocate
Mr. Gautam Banerjee
Mr. Raja Ghosh
Ms. Maitrayee Chatterjee
.....for the Appellant.

Mr. Bibek Jyoti Basu
Mr. Sayan Ganguly
.....for the State.

Mr. Soumya Majumder, Sr. Advocate
Mr. Ratikanta Pal
.....for the respondent nos. 8 to 10.

The appellant is the member of the Khanakul-I Panchayat Samity and the Karmadhyakshya of Purtya Karya-O-Paribahan Sthayee Samiti. The appellant is aggrieved by the order dated February 24, 2026, passed in WPA 2536 of 2026. His Lordship directed affidavits to be filed, without passing any interim order.

According to the appellant, the notice of motion brought by the respondent nos. 8 to 10 was stigmatic and the meeting pursuant to a no confidence motion against the appellant could not be held on the basis of the said notice. He refers to various decisions of this

court in order to contend that, a vote of no confidence is passed by ballots. The consequence thereof would be a reflection that the appellant had lost support of the majority. However, if the voting is permitted on the basis of a notice which contains allegations against the appellant, the said allegations become a part of the records and will operate as a stigma. This will have a negative impact on the reputation of the appellant who is a political person and is serving the society.

Mr. Pal, learned advocate appearing on behalf of the respondent nos. 8 to 10, submits that the meeting has not been held.

Mr. Basu, learned advocate for the State, submits that the notice has become infructuous as the outer limit of 30 days to complete the entire process had expired, but the meeting was not held.

We find from the submissions of the learned advocates for the respective parties and the records that the notice has expired as no steps were taken by the prescribed authority under the provisions of law, in order to reach the same to its logical conclusion.

We are not inclined to decide on the issue of stigma as the Motion has become infructuous.

Under such circumstances, this appeal is disposed of with the above observations. However, we make it clear that disposal of this appeal will not preclude the members of the samiti to bring a further

Motion, on the self same issue, strictly in accordance with law.

We also appreciate the submissions made by Mr. Basu that nothing further remains to be decided in the writ petition and, accordingly, the writ petition is also disposed of with the disposal of the appeal.

The connected application being CAN 1 of 2026 is also disposed of.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)

(Ajay Kumar Gupta, J.)