

30.06.2026
rc/ct.no.15
Item No.04

WPA No. 12504 of 2026
Rita Naskar & Anr.
Versus
The State of West Bengal & Ors.

Mr. Sabyasachi Mondal
Ms. Suvasree Ghose
Mr. Sarthak Dey
Mrs. Puja Naskar
Mrs. Payel Khanra ..for the petitioners

Mr. Sudipta Banerjee
Mrs. Puja Sonkar ...for the State

Mr. Tarun Kumar Das
Mr. Dilip Kumr Shyamal
...for the respondent nos.8-15

Report submitted by the State/Prescribed Authority
is taken on record.

The petitioners who are the Pradhan and Upa-Pradhan of Beledurganagar Gram Panchayat have assailed the notice of meeting issued by the Prescribed Authority and Block Development Officer, Joynagar II Development Block on June 03, 2026 fixing the date of meeting on June 11, 2026 primarily on the ground that the said notice was served upon the petitioners on June 04, 2026. Therefore the notice is in violation of Section 12(3) of the West Bengal Panchayat Act, 1973.

It appears from the report submitted by the Prescribed Authority that copy of the notice was affixed on the wall of the house of the Pradhan on June 04, 2026.

It appears from the record that the notice of meeting was issued on June 03, 2026 fixing the date of meeting on June 11, 2026. The State/Prescribed Authority has not been able to produce any document to suggest that the same was received by the petitioners before seven clear days of the date of meeting. Copy of a track report submitted by the petitioners demonstrates that the notice sent to the first petitioner was received on her behalf on June 08, 2026. However, Section 12(3) of the Act clearly envisages that such notice has to be sent at least before clear seven days for consideration of the motion. Since it appears that the notice was sent on June 03, 2026 fixing the date of meeting on June 11, 2026 it can be inferred that clear seven days' notice was sent to the petitioners as well as other members of the Panchayat for consideration of the motion.

In view of the above, the notice does not suffer from any illegality and irregularity and needs to be acted upon.

Since the time frame stipulated in Section 12 of the Act has expired, the Prescribed Authority and Block Development Officer being the 5th respondent herein shall convene the meeting within 10 days from the date of communication of this order and take the proceeding to its logical conclusion within the time frame stipulated under Section 12 of the Act. The said time frame shall run from the date of communication of this order.

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)