

17.06.2026
rc/ct.no.15
Item No.43

WPA No. 13027 of 2026
Ira Pal Ghosh
Versus
The State of West Bengal & Ors.

Mr. Pratip Kumar Chatterjee
Ms. Maitrayee Chatterjee ...for the Petitioner

Mr. Madhu Jana
Ms. Puja Sonkar ...for the State

Mr. Golam Mastafa
Mr. Tara Sankar Samanta
Mr. Kazi Asif Iqbal
....for the respondent nos. 9, 10 and 14

Affidavit of service filed by the petitioners is taken on record.

The petitioner who is the Pradhan of Margram Gram Panchayat has assailed the requisition notice submitted by the private respondents before the Prescribed Authority on two fold grounds. First, the notice contains a stigma against her. Second, the notice is undated.

Learned counsel for the petitioner has placed reliance on the authority in Razia Sultana Versus The State of West Bengal & Others reported in AIR 2023 Calcutta, 189 in support of his contention.

Heard learned counsels for the parties.

The notice appears to be undated. Therefore it cannot be ascertained from which date the time frame prescribed by Section 12 of the West Bengal Panchayat Act, 1973 commences.

The notice records that the requisitionists have lost faith in the leadership of the Pradhan due to lack of transparency in developmental works and non-cooperation with other members. The allegation leveled against the petitioner is serious in nature. There is no provision under the relevant Act for granting reasonable opportunity of hearing to the Pradhan to refute the allegation made against her. Such allegation may prejudicially affect the petitioner in her further political pursuits. The contents of the requisition are undoubtedly stigmatic and cannot be sustained. The requisition is accordingly quashed/set aside.

However, the private respondents/ requisitionists are at liberty to submit a fresh requisition in terms of Section 12 of the Act of 1973 before the Prescribed Authority and Block Development Officer, Khargram Development Block, being the 5th respondent herein. In the event such requisition is submitted, the 5th respondent shall deal with it in terms of Section 12 of the Act.

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)