

June 17, 2026
(44) ARDR

WPA 13089 of 2026

Sultana Khatun
Vs.
The State of West Bengal & ors.

Adv. Golam Mustafa,
Adv. Tarasnkhar Samanta,
Adv. Kazi Asif Iqbal,,

...for the petitioner.

Sr. Adv. Piush Chaturvedi,
Adv. Md. Hafis Ali,
Adv. Prtha Sarathi Das,
Adv. Agnityati Chanda,
Adv. Maria Sharwari,
Adv. Vijayak Chaturvedi,

...for the respondent nos.
5 to 21, 23 to 26 and 28.

Adv. Tapasi Palit Sinha,
Adv. Suman Chattopadhyay,

...for the State.

Affidavit of service filed by the petitioner and the instructions submitted by the State are taken on record.

The petitioner is the Sabhapati of Burwan Panchayat Samity, Murshidabad and assails the requisition submitted by the private respondents who are members of the samity before the Prescribed Authority and Sub Divisional Officer, Kandi on 4th June, 2026 on the ground that the party affiliation of the requisitionists have not been correctly recorded in the requisition and also, one of the members Utpal Saha has not put his signature voluntarily in the notice. The signatures of the requisition were not properly verified by the Prescribed Authority prior to issuance of notice of the meeting. The petitioner submitted an objection against the requisition before the Prescribed Authority on 6th June, 2026 which has not been considered.

Learned counsel for the private respondents submits that each private respondent has put his/her signature in the requisition notice voluntarily and without any threat or coercion from any corner whatsoever. Requisitionist Utpal Saha is personally present in Court and supports the contention of the learned counsel.

It appears from the instructions submitted by the State that upon receipt of the requisition notice, the Prescribed Authority issued notice under Section 101(3) of the West Bengal Panchayat Act in prescribed format to all the elected members requesting them to attend the meeting scheduled to be held on 18th June, 2026. For the purpose of satisfaction of genuineness of the signatures of the application, all the twenty-four members were called one by one before the Prescribed Authority and their signatures and identity were verified and established. The whole process of identification was videographed.

In view of the above, this Court is inclined to hold that requisition notice does not suffer from any irregularity or illegality. The writ petition is devoid of any merit and is accordingly dismissed.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the 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.)