

June 23, 2026
(29) ARDR

WPA 13555 of 2026

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

Adv. Avinaba Patra,
...for the petitioner.
Adv. D. N. Ray, Ld. G.P.,
Adv. Madhu Jana,
Adv. Puja Sonkar,
...for the State.

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

The Panchayat and the private respondents are not represented despite service.

The petitioner is the Pradhan of Alinagar Gram Panchayat and submitted applications under Section 11 of the West Bengal Panchayat Act, against three members of the Panchayat, being the private respondents herein, for their removal primarily on the ground of their unauthorised absence without intimation in three consecutive meetings of the Panchayat despite service of notice upon them.

Learned counsel for the petitioner submits that the applications were received by the Prescribed Authority on 2nd September, 2025 and a hearing was held on 16th October 2025. No further step has been taken by the Prescribed Authority and the matter is still pending.

Two of the private respondents challenged the notice issued by the Pradhan on 19th September, 2025 before this Court in a writ petition being WPA 23920 of 2025. By an order passed on 14th October, 2025, a coordinate Bench of

this Court disposed of the writ petition with liberty to the petitioners therein to appear before the authority concerned. The authority concerned was directed to consider the representation at the time of hearing in accordance with law. The private respondents also submitted written objection challenging the proceeding before the Prescribed Authority which are pending.

It is a fact that no time limit for consideration of an application under Section 11 of the Act of 1973 has been prescribed in the Act. However, this Court, in the autoirty in Sunil Sardar vs. State of West Bengal & ors. reported in 2001 AIR(Cal) 72 has recorded that no one can be permitted to take advantage of absence of time limit prescribed in Section 11 by dragging the matter for an indefinite period to his own advantage. The Court directed that all endeavour should be made to dispose of such matter as early as possible, preferably within six weeks with an outer limit of three months.

In the case in hand, the application under Section 11 of the Act was received by the Prescribed Authority on 2nd September, 2025. After the first hearing, the matter has not been proceeded any further. In view of the same, the Prescribed Authority and the Sub Divisional Officer, being the 7th respondent herein, is directed to take the proceeding to its logical conclusion in terms of Section 11 of the Act of 1973 as expeditiously as possible, preferably

within eight weeks from the date of communication of this order.

The writ petition is accordingly disposed of.

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.)