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jdt. 01.07.2026
jb.

WPA 14585 of 2026
(Gobinda Ghosh & Ors. vs. State of West Bengal & Ors.)

Robiul Islam
J. Hossain
Masooq Rahaman
Ms. Asmita Mitra
.... For the Petitioners

Mr. Madhu Jana
Mr. Rahul Agarwala
.... For the State

Usof Ali Dewan
Asif Dewan
Mehedi Masud
.... For the Respondent nos. 7 and 8

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

The petitioners are members of Nurpur Gram Panchayat and submitted a no confidence motion against the Pradhan of the Panchayat before the Prescribed Authority on 2nd June, 2026 which was received by the latter on the same date. By a notice issued on 4th June, 2026, the Prescribed Authority fixed the date of meeting on 12th June, 2026. However, by a subsequent notice issued on 11th June, 2026 the meeting was cancelled citing reasons beyond the control of the Prescribed Authority. The petitioners seek a direction upon the Prescribed Authority to convene the meeting and conclude the proceeding in accordance with law.

Learned counsel for the private respondent/Pradhan submits that the requisition notice

itself is bad since it contains stigma against the Pradhan. Learned counsel has placed reliance on a judgment of the Hon'ble Division Bench of this Court in MAT 29 of 2023 delivered on 3rd February, 2023 wherein the Hon'ble Court has defined the term 'stigma'. The Hon'ble Division Bench has referred to Mitra's Legal and Commercial Dictionary, Sixth Edition, wherein 'stigma' has been defined as something that detracts from the character or reputation of a person, a mark, sign, etc. indicating that something is not considered normal or standard. It is a blemish, defect, disgrace, disrepute, imputation, mark of disgrace or shame and mark or label indicating deviation from a norm. In the context of an order of termination or compulsory retirement of a government servant stigma would mean a statement in the order indicating his misconduct or lack of integrity. The Hon'ble Division Bench has stated that the allegation in the notice which would cast any aspersion on the character of the office bearer and may affect his/her future political prospects, should be considered to be stigmatic.

In the case in hand, the requisition notice states that the members/requisitionists have lost confidence on the performance and functioning by the Pradhan. The said statement does not fall within the definition of 'stigma' as stated hereinabove and is only an expression to indicate that the members have lost confidence in the

Pradhan. The requisition notice cannot be said to be bad/illegal on such score.

In view of the time frame stipulated under Section 12 of the West Bengal Panchayat Act, 1973 the Prescribed Authority and the Block Development Officer, Suti I Block, being the 5th respondent herein, is directed to convene the meeting within 10 days from the date of communication of this order and take the proceeding to its logical conclusion in terms of Section 12 of the Act. The date of communication of this order shall be treated as the date of submission of the no confidence motion by the requisitionists.

The Inspector in charge of Suti Police Station, being the 6th respondent herein, is directed to render necessary assistance to the 5th respondent so that the meeting is held peacefully without any disturbance from any corner whatsoever.

The writ petition is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)