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jdt. **13.11.2026**
**jb.**

**WPA 31661 of 2026**
**(Sahina Bibi vs. State of West Bengal & Ors.)**

**Mr. Pratip Kr. Chatterjee**
**Mr. Mihir Kundu**
**.... For the Petitioner**
**Ms. Manju Agarwal**
**Mr. Sourav Sengupta**
**Mr. Argha Chatterjee**
**.... For the State**
**Mr. Partha Sarathi Bhattacharya**
**Md. Hafiz Ali**
**Mr. Raju Bhattacharya**
**.... For the Private Respondents**

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

The petitioner is the erstwhile Pradhan of Sundarpur Gram Panchayat and has assailed the notice issued by the Prescribed Authority on 30th October, 2026 fixing 13th November, 2026 for election of the new Pradhan.

Learned counsel for the petitioner submits that the post of Pradhan of Sundarpur Gram Panchayat has been reserved for backward class candidates. Though the petitioner and the private respondents belonged to the backward class, their certificates have been cancelled/annulled pursuant to an order of an Hon'ble Division Bench of this Court. By a subsequent notification issued by the Government of West Bengal on 18th May, 2026, State list of "Other Backward Classes" has been published which includes 66 categories. The petitioner or the private

respondents do not belong to any of the said categories. Learned counsel submits that since there is no backward class candidate for the post of Pradhan, the said post be declared eligible for general candidates. The petitioner has submitted a representation in this regard before the concerned authority and seeks consideration of the same.

Opposing such contention, learned counsel for the private respondents submits that in the event it is found that none of the members of the Panchayat is eligible for the post reserved for backward class candidates, the Prescribed Authority shall take necessary steps in this regard.

I have considered the rival contention of the parties.

The Prescribed Authority has fixed the meeting for election of new Pradhan. Admittedly the post of the Pradhan is reserved for backward class candidates. The writ petition has been filed solely on an apprehension that the members or some of them may obtain a 'backward class' certificate by practising fraud upon the concerned authorities and participate in the meeting. Such apprehension is not supported by any evidence either oral or documentary. Since admittedly the said post is reserved for the backward class candidates, the Prescribed Authority, in dealing with the issue, shall consider the same and take necessary steps in this regard. The writ petition based on mere apprehension is premature and cannot be entertained.

Accordingly, the writ petition is dismissed.

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.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

**(Suvra Ghosh, J.)**