

Sl.143
20.01.2026
Court No.19
BP

WPA 29817 of 2025

Shree Chaitanya Co-operative Bank Limited & Anr.
-versus-
The State of West Bengal and others

Mr. Tapas Kumar Bhattacharya
Mr. Aviroop Bhattacharya
..for the petitioners

Mr. Ankit Sureka
Mr. Biplab Das
..for the respondent nos. 2 and 3

The petitioners have approached this Court for issuance of a writ of mandamus directing the respondent no.5 to deduct/realize the due loan amount including accrued interest as per the award passed in a dispute case from the salary of the respondent no.6 in every month till the realization of dues.

Mr. Bhattacharya, learned advocate appearing for the petitioners submits that an award was passed by the Assistant Registrar of Co-operative Societies, Cooperation Directorate, Nadia Range on July 10, 2024 in Case No. 80 of 2023-2024. He submits that the respondent no.6 has not yet paid the amount under the award within the time limit indicated in the said award. Section 143 of the West Bengal Co-operative Societies Act, 2006 states that any sum payable to the State Government or to any Co-operative Society in accordance with any order, decision or award under the 2006 Act, shall be recoverable in the

manner provided in the second schedule to the said act or as a decree of a court under the Code of Civil Procedure.

Upon going through the award dated July 10, 2024 this Court finds that the petitioners were given liberty to recover the amount as indicated in the said award under Section 143 of the West Bengal Co-operative Societies Act, 2006 in the manner provided in serial no. 6 of the second schedule of the 2006 Act or as the decree of the court under the Code of Civil Procedure.

In view thereof, WPA 29817 of 2025 stands disposed of by giving liberty to the petitioners to avail of the recourses available under the 2006 Act for recovery of the amount under the said award in accordance with law.

There shall be however no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)