

45.
30.09.2024
Court No. 2
AGM

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

WPA 2112 of 2024

Khayerbari Gram Panchayat Stario Mahila Swanirvar
Gosthi Somuher Prathamik Bahumukhi Samabay Samiti
Limited
Vs.
State of West Bengal & Ors.

Mr. Bikramaditya Ghosh.
Ms. Supriya Singh.
Mr. Swarup Das.
Mr. Ved Rai.
... for the Petitioner.

Ms. Bedashruti Basu.
Mr. Sandip Guha Roy.
... For the State.

1. The petitioner is aggrieved by the order passed by the BDO, Madarihat Birpara Development Block on 8th December, 2021 removing the President and Secretary of the Co-operative Society.

2. Learned advocate representing the respondent authorities seeks time to take instruction in the matter.

3. Learned advocate for the petitioner pleads urgency.

4. It appears that the impugned order was passed nearly three years back.

5. The Additional District Mission Director, DMMU and Project Director, DRDC, Alipurduar vide communication dated 3rd December, 2021 addressed to the Block Mission Director and BDO directed the addressee to take steps against the President and Secretary of the Society as there was allegation of

defalcation of funds. The removal of the President and the Secretary is the follow up step taken by the BDO.

6. Learned advocate representing the petitioner submits that after the impugned communication, several representations were made before the BDO disclosing document to deny the allegation leveled against the members of the Society. The representations are pending consideration at the end of the BDO.

7. The instant writ petition is disposed of by directing the respondent no. 3 to consider the representations forwarded by the representative of the Society in accordance with law and dispose of the same by passing a reasoned order.

8. An opportunity of hearing shall be provided to the petitioner for placing all documents in support of the claim.

9. Final order shall be passed in the matter at the earliest but positively within a period of twelve weeks from the date of communication of this order.

10. The writ petition stands disposed of.

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

(Amrita Sinha, J.)