

Court No. 24

WPA 1752 of 2023

12.12.2023

(AD 6 to 9)

(S. Banerjee)

Shila Chatterjee

Vs.

The State of West Bengal & Ors.

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CAN 1 of 2023

CAN 2 of 2023

with

WPA 1757 of 2023

with

WPA 26511 of 2023

with

WPA 26514 of 2023

Mr. Partha Sarathi Bhattacharyya, Sr. Advocate

Mr. Vivekananda Bose

Mr. Ratikanta Pal

... for the petitioner (in WPA 1752 of
2023; for the respondent no. 20 in
WPA 1757 of 2023);

... for the respondent no. 16 (in
WPA 26511 of 2023 and WPA
26514 of 2023)

Mr. Ritwik Pattanayak

Ms. Madhumanti Das

... for the respondent nos. 13 and
14 (in WPA 1752 of 2023)

... for the petitioner (in WPA 26511
of 2023)

... for respondent nos. 10, 14, 17,
18 and 19 (in WPA 26514 of 2023)

Mr. Kaustav Bagchi

Mr. Debayan Ghosh

Ms. Priti Kar

... for the petitioners (in WPA 26514
of 2023)

... for the respondent nos. 10 and
14 (in WPA 26511 of 2023)

... for the writ petitioner (in WPA
1757 of 2023)

Mr. A. K. Nag

Mr. S. Banerjee

... for the State

It appears from the order passed by the Hon'ble Division Bench on 6th December, 2023 in appeals carried forward at the instance of Shila Chatterjee challenging the direction passed by this Court on 30th November, 2023 that the Hon'ble Division Bench was pleased to direct that the Councillors would be free to exercise their statutory right for removal of the Chairperson in accordance with law.

It has been submitted by the learned senior advocate representing Shila Chatterjee and the learned advocate representing respondent nos. 13 and 14, namely, Jaba Machhuwar and Purnima Bagti respectively, that notice has been issued by seven Councillors of the Municipality to the Chairman seeking removal of Shila Chatterjee as the Chairperson of the Municipality. The process of removal will take some time.

With a view not to put the Municipality in a stalemate condition in the absence of a Chairperson, the interim order permitting Shila Chatterjee to act as the Chairperson of the Municipality is extended for a limited period till 19th January, 2024 or until further order, whichever is earlier.

The order passed by the Sub-Divisional Officer, Jhalda Sub-Division, Purulia declaring that Shila

Chatterjee was disqualified under sub-Section 1 of Section 21B of the West Bengal Municipal Act, 1993 and be removed from the Board of Councillors, is stayed till 19th January, 2024 or until further order, whichever is earlier.

Let the writ petition appear for hearing on 5th January, 2024.

CAN 1 of 2023 in WPA 1752 of 2023 has become infructuous in view of the subsequent developments. The same accordingly stands disposed of.

In view of the order passed by the Hon'ble Division Bench on 6th December, 2023, the writ petitions bearing nos. WPA 26511 of 2023, WPA 26514 of 2023 and WPA 1757 of 2023 have become infructuous and all three above writ petitions are also disposed of.

The department is directed to de-tag WPA 1752/2023 along with the connected applications and transmit the same to the Court.

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

(Amrita Sinha, J.)