

WPA 5152 of 2026

Md. Samsul & Ors.
Vs.
The State of W. B. & Ors.

Mr. Gangadhar Das
Mr. Tanmoy Chattopadhyay ...for the petitioners.

Mr. Swapan Banerjee
Mr. Samrat Paul ...for the State.

Mr. Sarwar Jahan
Ms. Mousumi Mitra
Ms. Shalini Sen
Ms. Sahina Parvin ...for respondent nos.9 to 11.

Affidavit of service filed by the petitioners and report submitted by the State are taken on record.

Heard learned counsels for the parties.

Learned counsel for the petitioners submits that the petitioners have moved a motion of no confidence under Section 12 of the West Bengal Panchayat Act before the prescribed authority on 9th February, 2026. The prescribed authority is sitting tight over the said application in violation of provision laid down under Section 12 (3) of the Act.

Opposing such allegation, learned counsel for the respondent nos.9, 10 and 11 submits that the Pradhan has submitted an application under Section 11 of the Act before the prescribed authority seeking appropriate steps against 4 members and initiation of process of cessation

of their membership in terms of the said provision of law on the ground that they have been absent in 5 consecutive general body meetings. The application is pending before the prescribed authority.

It appears that out of 17 members of the Panchayat, 7 members signed the no confidence motion forwarded to the prescribed authority. 4 out of the said members are the persons whose names appear in the application under Section 11 of the Act.

Learned counsel for the respondent nos.9, 10 and 11 seeks to use an affidavit in opposition annexing relevant documents pertaining to the issue.

Affidavit in opposition be filed within 1 week from date. Affidavit in reply, if any, be filed within 1 week thereafter.

Let the matter appear under the heading "Hearing" on 23rd March, 2026.

(Suvra Ghosh, J.)