

D/L. 26.
April 28, 2023.
MNS.

WPA No. 7418 of 2022

Saday Chand Mondal
Vs.
The State of West Bengal and others

Mr. Subir Sanyal,
Mr. Somesh Kumar Ghosh

...for the petitioner.

Mr. Srijan Nayak,
Mrs. Rituparna Maitra

...for the State respondents.

Mr. Pabitra Charan Bhattacharjee

...for the Vidyasagar Central
Co-operative Bank.

The contention of the petitioner, in reply to the objection as to maintainability taken by the Co-operative Society, is that there are certain palpable instances of violation of natural justice in the present matter, which justify interference under Article 226 of the Constitution of India.

Although the window for interference under Article 226 of the Constitution in Co-operative matters is extremely limited, since the tenor of the argument of the petitioner pertains not only to a pure question of law, but also to alleged violation of certain principles of natural

justice, the arguments on merits are required to be adverted to for the purpose of ascertaining the question of maintainability.

Hence, keeping the question of maintainability open, the hearing of the writ petition is taken up.

On the prayer of learned counsel for the respondents, in view of the respondents having factually denied averments made in the writ petition, the respondents are directed to file their affidavit(s)-in-opposition by June 6, 2023. Affidavit-in-reply thereto, if any, shall be filed by June 13, 2023.

The matter shall next be listed for hearing on June 14, 2023.

(Sabyasachi Bhattacharyya, J.)