

Item-
203. 21-04-2026

WPA 9097 of 2026

sg Ct. 19

Balageria Central Co-operative Bank Limited
Versus
The State of West Bengal & Ors.

Mr. Madan Mohan Roy
...for the petitioner
Mr. Srijan Nayak
Ms. Tanusri Pal Chowdhury
...for the State
Mr. Pradip Kr. Roy, Sr. Adv.
Mr. Partha SARathi Pal
...for the respondent nos.4&5

Affidavit of service filed in Court is taken on record.

The petitioner Co-operative Bank claims that the 9th respondent is a member of the petitioner Cooperative Society. The 9th respondent is an Assistant Teacher of a primary school within the jurisdiction of the Purba Medinipur District Primary School Council. The petitioner states that the 9th respondent obtained a loan amounting to Rs.6,00,000/- and gave an undertaken/declaration as contemplated under Section 59(1) of the West Bengal Co-operative Societies Act, 2006. The petitioner alleges that the 9th respondent has defaulted in paying the monthly instalments.

The petitioner approached the Assistant Registrar of Co-operative Societies praying for recovery of balance outstanding amount. The Assistant Registrar of Cooperative Society passed an award in exercise of power under Section 139 of the West Bengal Co-operative Societies Act, 2006.

Section 143 of the 2006 Act provides for recovery of sum payable to the State Government or to the Cooperative Society in accordance with any order, decree or award passed

under the 2006 Act.

The question that arises for consideration is when an award has been passed, whether the petitioner can fall back upon Section 59(2) of the 2006 Act for a direction upon the Drawing and Disbursing Officer to recover the said amount.

Faced with such situation, the learned Advocate for the petitioner seeks time to go through the relevant provisions and to revert back on the next occasion.

List this matter on 5th May, 2026.

(Hiranmay Bhattacharyya, J.)