Item-209. 05-05-2026

sg Ct. 19

WPA 10001 of 2026

Suryya Sekhar Sarkar
Versus
State of West Bengal & Ors.

Mr. Yashraj Roy
…for the petitioner
Mr. Ankit Sureka
Mr. Biplab Das
…for the respondent nos.2-4
Mr. Debashis Banerjee
Mr. Subrata Saha
Mr. Rakesh Jana
Mr. Abhik Biswas
Mr. Mithun Das
…for the respondent nos.5-7

Affidavit of service filed in Court is taken on record.

The learned Advocate appearing for the petitioner submits that the 4th respondent has not been properly described in the cause title of the writ petition. He submits that in spite of "Additional Registrar" concerned "Assistant Registrar" has been impleaded.

Leave is granted to the learned Advocate for the petitioner to amend the cause title insofar as the description of the fourth respondent is concerned.

The learned advocate for the petitioner shall be obliged to supply the amended cause title of the writ petition to the learned advocates for the respective parties.

The petitioner, who claims to be a member of Neelachal Abasan Co-Operative Society Ltd., alleges that a dispute cropped up between the petitioner and the Society pertaining to a car parking space being No.11 under the building "PURBA". The petitioner filed a dispute case on 27th February, 2026 under Section 102 of the West Bengal Co-operative Societies Act, 2006 read with Rule 166 of the West Bengal Co-operative Societies Rules, 2011.

The learned Advocate appearing for the petitioner submits that till date, no date of hearing has been fixed by the Additional Registrar of Co-Operative Societies (KMAH) Cell.

The learned Advocate appearing for the Co-operative Societies, draws the attention of the Court to Section 103(5)(a) of 2006 Act and submits that the statute fixes a time limit of six months from the date of receipt of the dispute case.

The learned Advocate appearing for the respondent nos. 2, 3 and 4, submits that the disputes case shall be disposed of expeditiously or within the time limit that may be fixed by this Court.

Taking note of the fact that the dispute case has been filed sometime in the month of February, 2026, the Additional Registrar of Co-operative Societies (KMAH) Cell, being the fourth respondent, is directed to dispose of the dispute case filed by the petitioner on 27th February, 2026 as expeditiously as possible by passing a reasoned order after affording an opportunity of hearing to the petitioner, the Co-operative Housing Society and any other persons who may be affected by such decision or their authorized representatives and communicate the reasoned order immediately thereafter.

The entire process shall be completed by the said respondent as expeditiously as possible but positively by the end of the month of August 2026 without granting any unnecessary adjournment to either of the parties.

With the above directions, this writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all

requisite formalities.

(Hiranmay Bhattacharyya, J.)