

26.06.2025
Sl. No.89(DL)
Ct. No.42
srm

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 11519 of 2025

Santana Mondal @ Santwana Mondal

Versus

The State of West Bengal & Ors.

Mr. Mrityunjoy Chatterjee,
Mr. Debapriya Majumder

...for the Petitioner.

Mrs. Sonal Sinha,
Mr. Gourav Das

...for the State.

Md. Sarwar Jahan,
Ms. Tapati Sarkar

...for the Respondent Nos.7 to 9.

Affidavit-of-service filed on behalf of the
petitioner is taken on record.

Mr. Mrityunjoy Chatterjee, learned Advocate for
the petitioner submits that the petitioner made a
prayer before the respondent No.4, the Sub-Divisional
Officer, Domkal Sub-Division for disqualification of
three members of Sagarpara Gram Panchayat being
the respondent Nos.7 to 9. However, no final order has
been passed in the proceedings.

Md. Sarwar Jahan, learned Advocate for the
respondent Nos.7, 8 and 9 submits that the prescribed
authority under Section 213A of the West Bengal
Panchayat Act is the Block Development Officer and

not the Sub-Divisional Officer and, therefore, the proceedings initiated at the instance of the petitioner before the Sub-Divisional Officer is on the face of it bad in law. He also indicates that the application for disqualification has to be verified and should bear the signature of President and/or Secretary of the particular political party, which is also absent in the application. He seeks to file affidavit-in-opposition.

Mr. Gourav Das, learned Advocate for the State seeks accommodation to take proper instruction regarding the proceedings initiated under Section 213A of the West Bengal Panchayat Act.

Let such affidavit-in-opposition be filed by the respondent Nos.7 to 9 within a period of two weeks. Advance copy of such affidavit-in-opposition be served upon the learned Advocate appearing for the petitioner. Reply, if any, be filed within a week thereafter.

Let a report in the form of affidavit be filed by the State within a period of two weeks. Advance copy of such report be served upon the learned Advocate appearing for the petitioner. Exception, if any, be filed within a week thereafter.

List this matter on **18th July, 2025** under the heading “**Returnable Motion**”.

(Bivas Pattanayak, J.)