

WPA 14407 of 2026

Md. Rejaul Karim & ors.
Vs.
The State of West Bengal & ors.

Adv. Sukanta Chakraborty,
Adv. Md. Anwar Hossain,
Adv. Benajir Hasna,
Adv. Aninda Haldar,

...for the petitioner.

Adv. Madhu Jana,
Adv. Puja Sonkar,

...for the State.

Affidavit of service filed by the petitioner is taken on record.

The Panchayat, the Pradhan and the private respondents are not represented despite service.

The petitioners who are the members of Harua Gram Panchayat submitted a no confidence motion for removal of the Pradhan of the Panchayat before the Prescribed Authority on 8th June, 2026 which was received by the latter on the same date. The Prescribed Authority fixed the date of meeting on 23rd June, 2026 by a notice issued on 12th June, 2026. By a subsequent notice issued on 19th June, 2026 the meeting was cancelled due to non availability of police assistance. The petitioner seeks a direction upon the Prescribed Authority to convene the meeting and conclude the proceeding in accordance with law.

It is a fact that the time frame laid down under Section 12(10) of The West Bengal Panchayat Act, 1973 for completion of proceeding under the said provision of law has expired. However, an Hon'ble Division Bench of this Court has dealt with a similar issue in MAT 992 of 2022

and by an order passed on 15th July, 2022 has held that since the meeting could not be conducted by the Prescribed Authority due to circumstances beyond his control, Section 12(4) of the Act would come into play and the time period of thirty days prescribed under Section 12(10) of the Act would stand extended correspondingly.

In view of the above, the Prescribed Authority and the Block Development Officer, Suti I Development Block, being the 9th respondent herein, is directed to convene the meeting within ten days from the date of communication of this order upon service of notice upon the relevant parties and take the proceeding to its logical conclusion at the earliest, in accordance with law.

The Officer in charge, Suti Police Station, being the 10th respondent herein, is directed to render necessary assistance to the Prescribed Authority so that the meeting is held peacefully without any disturbance from any corner whatsoever.

The writ petition is accordingly disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)