

WPA 15176 of 2026

Brihaspati Mandal
Vs.
The State of West Bengal & ors.

Adv. Md. Sahanewaj Biswas,
Adv. Manojeeet Bhattacharya,

...for the petitioner.

Adv. Sumitra Neogi,
Adv. Diptaraj Chakraborty,
Adv. Mohan Naskar,

...for the private respondents.

Adv. Partha Sarathi Basu,
Adv. Ankur Sharma,

...for the State.

On prayer of the petitioner, liberty is granted to correct the cause title of the application.

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

The petitioner is a member of Mahesali II Gram Panchayat and submitted a no confidence motion along with other members of the Panchayat for removal of the Pradhan of the Panchayat before the Prescribed Authority on 10th June, 2026 which was received by the latter on the same date. The Prescribed Authority issued a notice on 12th June, 2026 fixing the date of meeting on 22nd June, 2026. However, by a subsequent notice issued on 19th June, 2026 the meeting was cancelled due to non availability of police assistance as per provision laid down under Section 12(4) of The West Bengal Panchayat Act, 1973. The petitioner seeks a direction upon the Prescribed Authority to convene the meeting and conclude the proceeding in accordance with law.

Section 12(4) of the Act of 1973 says that a meeting convened by the Prescribed Authority under Section 12(3)

of the Act shall not be adjourned or cancelled except in pursuance of an order or direction of a competent authority or for any other reason beyond the control of the Prescribed Authority. Since the meeting was cancelled due to non availability of police assistance, the said situation was obviously beyond control of the Prescribed Authority and falls under Section 12(4) of the Act.

In view of the above, this Court is inclined to hold that the time frame laid down in the said provision of law is correspondingly extended. The Prescribed Authority and the Block Development Officer, Suti II Block, being the 5th respondent herein, is directed to convene the meeting within ten days from the date of communication of this order and take the proceeding to its logical conclusion, in accordance with law.

The Officer in charge, Suti Police Station, being the 6th 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.)