

13.07.2026
M/L No.4
Court No.12
(gc)

**MAT 1106 of 2026
CAN 1 of 2026**

**Tafijul Hoque
VS
State of West Bengal & Ors.**

Mr. Chitta Ranjan Chakraborty,
Mr. Sumit Banerjee,
Ms. Pushpa Rani Jaiswara

.....for the Appellant.

Mr. Sabyasachi Chatterjee,
Mr. Badrul Karim,
Mr. Kiron Sk.
Mr. Aritra Ghosh

...for the Respondent Nos.1-15.

Ms. Susmita Saha Dutta, AGP,
Ms. Tanusree Ghosh,
Mr. Sourav Halder

...for the State.

1. As we are informed that the meeting has been held pursuant to the order of the learned Single Judge which is impugned before us, we are not inclined to interfere with the result of the meeting at this stage. However, we find from the order impugned dated June 22, 2026, passed in WPA 12941 of 2026, and WPA 13361 of 2026 that, the order of Her Lordship directing the prescribed authority to hold the meeting within 10 days from the date of communication of the order impugned, is contrary to the provisions of the statute.

2. In our, *prima facie*, view the Court could not have extended the time. Although, Her Lordship records that, upon considering the provisions of the statute, the time to hold the meeting is extended by 10 days

from the date of communication of the order by the writ petitioners/requisitionists, the provisions of the statute are contrary to the findings of Her Lordship.

3. Under such circumstances, even if a new Pradhan is elected in the teeth of this proceeding, which is pending before us, such election shall abide by the result of the appeal.
4. It is made clear that, the newly elected Pradhan shall not take major financial and policy decisions, but will only take care of the day-to-day affairs of the gram panchayat.
5. List this appeal on 3rd August, 2026.
6. Affidavit-in-opposition shall be filed within a week from date. Reply thereto, if any, shall be filed within a week thereafter.
7. The prescribed authority shall also file affidavit-in-opposition or file the records.
8. The time limit prescribed in filing the affidavit-in-opposition is peremptory.

(Shampa Sarkar, J.)

(Ajay Kumar Gupta, J.)