

27
17.07.2026
Ct. No.15
b.das

WPA 16312 of 2026

Sunil Kumar Das
Vs.
The State of W.B. & Ors.

Mr. Debapriya Majumder ...for the petitioner.

Dr. Manik Bhattacharyya
...for the respondent nos.8-11, 17 & 18.

Mr. Barun Ghosh ...for the State.

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

The petitioner who is a member of Rajarampur Ghoraikhetra Gram Panchayat submitted a no confidence motion alongwith other members of Panchayat for removal of the Upa Pradhan of the Panchayat before the Prescribed Authority on 10th June, 2026 which was received by the latter on the same date.

By a notice issued on 16th June, 2026, the Prescribed Authority fixed the date of meeting on 23rd June, 2026. However, by a subsequent notice issued on 23rd June, 2026 the meeting was postponed/cancelled due to non-availability of police assistance. A further date of meeting was fixed on 7th July, 2026 which was also postponed indefinitely on the same ground.

The petitioner seeks a direction upon the Prescribed Authority to convene the meeting and conclude the proceeding in accordance with law.

In view of the fact that the meeting was postponed by the Prescribed Authority on two occasions, due to reasons beyond his control, Section 12(4) of the West Bengal Panchayat Act, 1973 comes into play. This Court is of the view that the time frame stipulated in the said provision of law is correspondingly extended.

The Prescribed Authority and Block Development Officer, Kaliganj Development Block, being the 5th respondent herein, is directed to convene the meeting within 10 days from the date of communication of this order upon service of notice to relevant parties and take the proceeding to its logical conclusion at the earliest, in accordance with law.

The Officer in Charge of Kaliganj Police Station, being the 6th respondent herein, is directed to render necessary assistance to the 5th respondent so that the meeting is held peacefully and without any disturbance from any corner whatsoever.

The writ petition is disposed of accordingly.

There shall, however, be no order as to costs.

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

All parties shall act on the server copy of the order duly downloaded from the official website of this Court.

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

(Suvra Ghosh, J.)