

01.09.2021
Court No. 19
Item no.14
CP

WPA 12805 of 2021

Debjit Bhattacharya & ors.
vs.
The State of West Bengal & ors.
(via video conference)

Mr. Prosenjit Mukherjee
Mr. Saptarshi Chakraborty
Mr. Arghya Kamal Das
....for the petitioners.

Mr. Srijan Nayak
Ms. Rituparna Maitra
....for the respondents 7 & 8.

Mr. Lalit Mohan Mahata
Mr. Malay Singh
.....for the State.

Petitioners are the delegates of Haral Bhupendra Bani Mandir Samabay Krishi Unnayan Samity Ltd. The petitioners submit that the delegate election was over in 2019. Thereafter the election of the board of directors and the office bearers have not been held by the West Bengal Co-operative Election Commission, the respondent no.8 herein.

It is contended by the petitioners that without the election of the board of directors and the office bearers, it is impossible to effectively conduct the administration of the said society which has more than 3000 members.

Mr. Nayak, learned advocate appearing for the Commission, submits that due to the declaration of the Assembly Election and the rise of infected cases during the pandemic, the meetings for the election of

the board of directors and the office bearers could not be held. He submits that now that the situation has improved, immediate steps shall be taken in accordance with law to hold the election for the board of directors and thereafter for the office bearers.

As the Election Commission has submitted before this court that appropriate steps will be taken, no further order is being passed on the writ petition save and except that the West Bengal Co-operative Election Commission is directed to proceed in accordance with law and complete the election of the board of directors as also the office bearers, not later than three months from the date of communication of this order.

It goes without saying that if the Election Commission is of the opinion that any assistance from the local police station would be required during such election, then the Officer-in-charge, Pandua Police Station, Hooghly shall provide all possible assistance to the Commission to ensure a smooth and peaceful election.

The writ petition is, thus, disposed of. There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)