

11.11.2021
Sl. No.26
srm

W.P.A. No. 15985 of 2021
Nani Gopal Das & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Pabitra Charan Bhattacharjee
...for the Petitioners.

Mr. Ankit Surekha,
Mr. Partha Sarathi Pal
...for the Cooperative
Election Commission.

Mr. Srijan Nayak,
Ms. Rituparna Maitra
...for the State-respondents.

Despite service none appears on behalf of the society.

The short point involved in this writ petition is that despite the Board of the Dighri Samabay Krishi Unnayan Samity Limited, District-Murshidabad having been dissolved sometime ago due to end of their term, no elections have been held.

Mr. Surekha, learned Advocate appearing on behalf of the Co-operative Election Commission, submits that due to the Covid situation, the elections were not held and a Special Officer has now been appointed to run and administer the society as there is no existing Board of Directors. It is further submitted that once the pandemic situation improves the election will be held in due course in accordance with law.

It is a fact that once the Board has been dissolved an election has to be held in accordance with law and the law also takes care of the situation as to how a co-operative society must be administered during the intervening period, that is, until a new Board of Directors is appointed after the next election.

The Election Commission shall make serious endeavour to complete the election of the co-operative society in accordance with law within a period of three weeks from the date of communication of this order. Steps shall be taken by the authority upon strict adherence to the covid protocol.

This Court has not expressed any observation on the merits of the contentions of the petitioner.

As no affidavit has been called for, all the allegations are deemed to be denied.

This writ petition is, thus, disposed of.

There will be no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)