

06.01.2021.
Item no. 28.
Court No. 13
ap

W.P.A. No. 8210 of 2020

Anandapur Samabaya Krishi Unnayan Samity Limited
& Ors.
Versus
The State of West Bengal & Ors.

Mr. Subir Sanyal,
Mr. Sankar Halder.

..For the petitioners.

Mr. Srijan Nayak,
Mr. Partha Sarathi Pal.

...For the State.

Mr. Pradip Kumar Roy,
Ms. Shraboni Sarkar.

...For the Co-operative Election Commission.

Affidavit-of-service filed in Court today by the
Counsel for the petitioners be taken on record.

The writ petitioner no.2 is a member of
Anandapur Samabaya Krishi Unnayan Samity Limited,
District – Nadia. The term of the regular Board expired
on 11th October, 2020.

Counsel for the State submits that the Registrar
of Co-operative Societies, West Bengal has nominated
a Board to run the said Society on 11th May, 2020 with
retrospective effect from different dates.

Ex facie, it appears that the same is devoid of
jurisdiction.

Be that as it may, let the Election of the Board of
Directors of the Society be held by the State Election

Commission within a period of two months from date mandatorily and positively.

The relevant Rules and Statute shall be strictly followed in conducting the Election of the Society.

The highest paid employee of the Society shall render all assistance to the nominated Board as well as the A.R.O. in conduct of the Election and preparation of the voter's list.

It is made clear that the nominated Board shall not take any policy decision during their tenure and they shall confine their activities, only to conduct the day to day functioning of the Society.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)