

11.03.2021
rc/ct.no.10
Item No.02

WPA No. 11559 of 2020

Mr. Chandan Misra ...for the petitioner

Mr. Srijan Nayak
Ms. Rituparna Maitra ..for the State

Mr. Pradip Kr. Roy
Mrs. Shrabani Sarkar ...for the Election Commission

This matter has been heard on February 07, 2021, February 12, 2021 and February 18, 2021 and is taken up for final hearing.

The grievance of the petitioner is directed against a communication dated December 09, 2020. It is alleged on behalf of the petitioner that the recording in the said communication to the extent that the petitioner has been holding the position of an Office Bearer for two consecutive terms is incorrect.

The respondents are represented.

It is submitted on behalf of the respondents that in view of the West Bengal Cooperative Society Act, 2006 a person is not entitled to be an Officer Bearer for two consecutive years.

I have heard the parties. In view of the disputed questions of fact which arise for consideration I am of the view that the matter be remanded to the Assistant Registrar of Cooperative Society & Chief Executive Officer, Nabawip Wholesale Consumers' Cooperative Society

Limited to adjudicate as to whether the petitioner had been an Officer Bearer for two consecutive terms or not.

It is expected that the respondent no. 6 will complete the entire exercise within four weeks from date after hearing the petitioner and all affected parties.

I make it clear that the respondent no. 6 will not be influenced by any observation made in this order on the merits of this case.

With the aforesaid directions, WPA No. 11559 of 2020 stands disposed of.

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

(Ravi Krishan Kapur,J)