

23.02.2022
Court No. 19
Item no.21
CP

WPA 2305 of 2022

Ajoy Kumar Maiti & anr.
Vs.
The State of West Bengal & Ors.

Mr. Subhajit Panja

..for the petitioners.

Mr. Lalitmohan Mahata, Sr. Govt. Adv.
Mr. S. Dhar

....for the State.

Despite service, none appears on behalf of the
West Bengal Co-operative Election Commission.

The petitioners No.1 is the Secretary of the
Ashutia Samabay Krishi Unnayan Samity Ltd.
(hereinafter referred to as 'the said cooperative
society'). The petitioner No.2 is the society. The
petitioner submits that the tenure of the board of
directors expired on February 20, 2022. But steps
have not been taken for holding the election. The
petitioner prays that the West Bengal Co-operative
Election Commission (hereinafter referred to as 'the
Commission'), be directed to make preparations for
holding the election of the said cooperative society.
Reliance is placed on several representations filed
before the Commission.

The prayer of the petitioner appears to be innocuous. It appears that only election of the board and office bearers would be necessary. There was no necessity of the delegate election as the co-operative society has less than 1000 members.

The writ petition is disposed of with a direction upon the Commission, i.e., the respondent no. 2 herein, to take into consideration the prayers of the said cooperative society and make preparations for an early election in accordance with law.

The Commission is requested to complete the process within three months from the date of communication of this order.

In the meantime, if any special officer is appointed, the said office will cooperate with the Commission and discharge all functions independently.

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.)