

30.11.2022

Sl no. 76

Ct no. 2

P.M.

WPA 25417 OF 2022

Aparaesh Bhunia & Anr.

- Vs -

The State of West Bengal & Ors.

Mr. Kinkar Kumar Bhattacharya

... for the petitioners

Mr. Srijan Nayak,

Mr. Biplab Das

.... For Co-operative Election Commission

Mr. Pradip Kumar Ray,

Mr. Prabir Kkumar Ray,

Mr. Joydip Ray

... for the State

Heard learned advocates appearing for the parties.

This writ petition has been filed by the petitioners being members of the Co-operative Society in question by submitting that the term of Board of Director has already been ended on 10th August, 2020 and the society has no staff and makes prayer for direction upon the respondent authority concerned to appoint Assistant Returning Officer (ARO).

It appears from record that against the aforesaid grievance, the petitioners have made the representations before the Assistant Registrar, Co-operative Society, Contai on 6th July, 2022 and 19th October, 2022.

Learned advocate appearing for the respondents submits that the authority for

appointment of Assistant Returning Officer, is the Election Commission for the Cooperative Society, who is not the party to this writ petition.

Liberty is granted to the petitioners to implead the Election Commissioner of the Co-operative Election Commission as a party respondent who is directed to consider the representation of the petitioners by treating the copy of this writ petition as a representation which will be served by the petitioners within a week and who on receipt of copy of such writ petition will consider and dispose of the petitioners' representation within eight weeks from the date of receipt of such representation after giving an opportunity of hearing to the interested parties.

The appearance of Mr. Srijan Nayek and Mr. Biplab Das, learned advocates representing the Co-operative Election Commission be regularized.

(Md. Nizamuddin, J.)