

**CIRCUIT BENCH OF CALCUTTA HIGH COURT  
AT JALPAIGURI**

**51**  
**08.06.2022**  
Ct. No.2  
b.das

**Minu Ghosh  
Vs.  
The State of W.B. & Ors.**

**WPA 1193 of 2022**

Mrs. Matan Chakraborty                      ...for the petitioner.

Mr. S. K. Saha  
Mr. Momenur Rahman    ...for the State.

Affidavit of service filed by the petitioner is taken on record.

It is contended on behalf of the petitioner that the petitioner is the Secretary of the Jalpaiguri Mahila Samabay Rindan Samity Ltd., comprising 5,200 members among whom Board of Directors are elected. The last election was held on 12<sup>th</sup> June, 2017 and the term of the Board of Directors is due to expire on 11<sup>th</sup> June, 2022.

The petitioners intimated the respondent authorities to conduct the election of the Board of Directors by a letter dated 22<sup>nd</sup> March, 2022 (annexure P-1 to the writ petition) and was communicated by an order dated 19<sup>th</sup> March, 2020 (annexure P-2 to the writ petition) by the office of the Election Commission that due to Covid-19 pandemic all elections to the Board of Directors were kept in abeyance until further orders.

Learned counsel for the petitioner submits that as the term of the Board of Directors is due to expire on 11<sup>th</sup>

June, 2022, liberty may be granted to approach the Co-operative Election Commission, the 5<sup>th</sup> respondent herein, to conduct fresh election.

Upon consideration of the submissions made on behalf of the parties and material on record, this Court is of the view that the writ petition may be treated as a representation and be placed before the 5<sup>th</sup> respondent for consideration within a stipulated time frame.

Accordingly, the writ petition is disposed of directing the 5<sup>th</sup> respondent to treat this writ petition as a representation and consider and dispose of the same within two weeks from the date of communication of this order after giving reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

The petitioner is directed to serve a copy of the order along with a copy of the writ petition to the 5<sup>th</sup> respondent at the earliest.

The decision taken by the authority shall be communicated to the petitioner within a week thereafter.

Since the petitioner has approached the authority for a fresh election during the tenure of the present Board of Directors, the said tenure shall continue till fresh election is conducted.

With the above observations and directions this writ petition being WPA 1193 of 2022 is disposed of.

However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

**(Suvra Ghosh, J.)**