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WPA 3428 of 2023

Nilmani Maity

Vs

The State of West Bengal & Ors.

Mr. Supratic Roy,

Mr. Ritam Chowdhury,

Miss. Sneha Dutta

... For the Petitioner.

Mr. Pradip Kumar Roy,

Mr. Prabir Kumar Ray,

Mr. Joydeep Roy,

Mr. Rituparna Maitra

... For the State.

Mr. Srijan Nayak,

Mr. Ankit Surekha

... For the Co-operative Election Commission.

Mr. Soumik Ganguli,

Mr. Supriyo Shasmal,

Mr. Sayan Ray,

Mr. Sourat Nandi

... For the Respondent No.11.

Heard learned Advocates appearing for the parties.

It appears from record that relating to the same Co-operative Society another member had already filed a writ petition being WPA 27663 of 2022, which was disposed of by order dated 4th January, 2022, directing the respondent authority concerned to initiate and conclude the election proceedings of the Society in question within a period of six months. Now, present writ petition has been filed by another member. I am not inclined to entertain this writ petition for the reasons that enough time is still available to conclude the election proceedings as per earlier order of this Court and furthermore, no substantial change in the

circumstances has taken place which was prevailing on 4th January, 2023. Petitioner prays for relief of allowing the Board to continue its functioning till the election is finally concluded, such relief cannot be granted since the tenure of the Board had already expired on the day when the order was passed in the earlier writ petition and is no more in existence and as such question of allowing the Board to continue its functioning does not arise. Accordingly, this writ petition being WPA 3428 of 2023 is dismissed.

If the petitioner has any grievance during the pendency of the election process, it may approach the appropriate statutory authority in accordance with law.

(Md. Nizamuddin, J.)