

24th February, 2023
(D/L No.14)
(SKB)

W.P.A. 3856 of 2023

Debabrata Bandopadhyay and others
Versus
The State of West Bengal and others

Mr. Jayanta Mitra
... for the petitioners.

Mr. Asim Kr. Ganguly,
Mr. Tarak Karan ... for the State.

Mr. Soumik Ganguli,
Mr. Srijib Chakraborty,
Mr. Satyaki Mukherjee,
Mr. Sourat Nandy
... for the respondent nos.2 & 3.

Mr. Avinash Kankani
... for the respondent no.5.

The eleven petitioners before the court claim to be practicing advocates and members of the Bankura Bar Association. The petitioners are aggrieved by not being permitted to participate in the General Body Election of the Bankura Bar Association which is due to be held on 27th February, 2023.

The admitted facts are that pursuant to a resolution taken on 31st May, 2022, a provisional voters' list was published on 26th July, 2022 and a notice thereof was circulated on 6th July, 2022. A draft voters' list was published on 28th August, 2022 and a final voters' list was published on 15th September, 2022. All the petitioners were defaulters and a list of defaulters was published on 28th August, 2022. The defaulters

were given time to regularize their payments within 5th September, 2022.

Rule 2b(i) of the District Advocates' Bar Association Bankura Amended Rules, 2022 provides that a member shall not be eligible to be a voter if that member (he/she), as in the Rules, is a defaulter prior to preparation of the voters' list.

Since the petitioners admittedly were defaulters as on 5th September, 2022 when the final voters' list was published, they became ineligible under the relevant Rules.

W.P.A.3856 of 2022 is accordingly dismissed without an order as to costs.

(Moushumi Bhattacharya, J.)