

Item-15. 10-10-2023

sg Ct. 8

FMA 1653 of 2015

Bikki Dubey & Ors.  
Versus  
The State of West Bengal & Ors.

1. The parties are not represented nor any accommodation is prayed for on behalf of the parties.
2. The appeal had appeared in the warning list of cases on and from 19<sup>th</sup> September, 2023 with a clear indication that the said matter shall be transferred to the Regular Bench on 6<sup>th</sup> October, 2023. The appeal is again listed today in the main cause list. All the parties have sufficient notice about the listing of the matter before the Regular Bench on and from 6<sup>th</sup> October, 2023.
3. The appeal was filed on 09.03.2015. The record shows that no attempt has been made to move this appeal after it was filed. No step has been taken to serve notice and prepare paper books. It clearly shows that the appellants are not interested to proceed with the appeal and have virtually abandoned the appeal.
4. However, we have considered the materials on record and the impugned order. The writ petition was dismissed on the basis of the decision in *Himadri Sekhar Biswas & Ors. vs. Behala College & Ors.* reported in **2005 (4) CHN 68** and *Aditya Ghosh vs. University of Calcutta*, reported in **2012 (5) CHN (Cal) 78**.
5. The writ petition was primarily dismissed on the ground that the writ petitioners as students of Shree Agrasen Mahavidyalaya have no locus to challenge the election for

constitution of the students' union of the college. The learned Single Judge has also dismissed the writ petition otherwise on merits. The process of election complained off is not in continuance of the earlier process.

6. On such consideration, we do not find any reason to interfere with the order passed by the learned Single Judge. The appeal fails and is, accordingly, dismissed.

**(Uday Kumar, J.)**

**(Soumen Sen, J.)**