

12.04.2023

Sl no. 98

Ct no. 2

P.M.

WPA 8196 OF 2023

Pradip Manna.

- Vs -

The State of West Bengal & Ors.

Mr. Asis Bhattacharyya,

Mr. B. Mitra

... for the petitioner

Mr. Madan Mohan Roy

... for respondent No. 2

Mr. Srijan Nayek,

Mr. Rituparna Maitra

... for the State

Mr. Pradip Kumar Roy,

Mr. Biplab Das

... for Co-operative election Commission.

Heard learned advocates appearing for the parties.

It appears that Cooperative Election Commission is the necessary party in this writ petition which has not been impleaded and accordingly liberty is granted to the petitioner to implead him as a party respondent to this writ petition.

The main dispute raised in this writ petition relates to the election of the cooperative society in question.

A notification dated 13th April, 2012 issued by the Secretary, Cooperative Election Commission,

West Bengal has been brought to the notice of this Court and particularly Clause 35(I) of the said notification which clearly says that any dispute relating to election of delegates of any cooperative society shall be referred to the cooperative election commission within thirty days from the date of arising of such dispute.

Considering the relevant clause of the aforesaid notification this writ petition being WPA 8196 of 2023 is disposed of by granting liberty to the petitioner to make appropriate application before the Election Commission as per the aforesaid notification dated 13th April, 2012 and if such application is made by the petitioner the same shall be considered and disposed of by the authority concerned in accordance with law and by passing a reasoned and speaking order after giving an opportunity of hearing to the interested parties or their authorized representatives, within a period of eight weeks from the date of receipt of such application.

(Md. Nizamuddin, J.)