

236
20.09.2023
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 14354 of 2023

**Sri Sunirmal Kumar Das & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Prantick Ghosh,
Mr. Prasad Bhattacharyya.
... For the petitioners.**

**Mr. Srijan Nayak,
Mr. Ankit Sureka,
Mr. Biplab Das.
... For the Co-operative
Election Commission.**

**Mr. Amal Kumar Sen,
Ms. Sahina Sumi.
...For the State.**

**Ms. Rituparna Maitra.
...For the Respondent No.6.**

Affidavit-of-service filed in Court today is taken on record.

The prayer of the petitioners for admission as members of Daisai SKUS Limited, a Cooperative Society, is pending consideration for a considerable period of time.

Despite the direction passed by the Assistant Registrar of Cooperative Societies, Purba Medinipur-II Range, Contai way back on 20th April, 2021, the Society did not take any step in response to the petitioners' prayer for admission in the Cooperative Society.

The election process of the Cooperative Society is currently on. The petitioners intend to participate in the election but on account of the non-admission of the petitioners as members of the Cooperative Society, they will neither be able to contest the election nor cast their votes.

The Society remains unrepresented despite service.

Learned advocate appearing for the Assistant Registrar of Cooperative Societies submits, upon instruction that, the said authority is currently in-charge of that region and will be the appropriate authority to take a decision in the matter.

As it appears that the issue is pending consideration for a long time, accordingly, the Assistant Registrar of Cooperative Societies who is presently in-charge is directed to take a positive decision with regard to issuance of membership in favour of the petitioners, after giving a reasonable opportunity of hearing to all the necessary parties.

The Assistant Registrar of Cooperative Societies is directed not to delegate the matter to the Cooperative Society all over again because the Society failed to take a decision in the matter pursuant to the earlier direction of the ARCS.

Decision shall be taken in the matter at the earliest, but positively within a period of four weeks from the date of communication of this order.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)