

SL 04
27.07.2023
AGM

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

W.P.A 17721 of 2023

**Sri Swarup Biswas
-versus
The State of West Bengal & Ors.**

**Mr. Mani Sankar Chattopadhyay
Mr. Gopal Chandra Mondal
Ms. Sumouli Bhattacharya
...For the Petitioner.**

**Mr. Kunal Krishna Pallak
Mr. Harish Chandra
Mr. Souvik Maji
...For the intervenors**

**Mr. Lalit Mohan Mahata
Mr. Ziaul Haque
...For the State.**

**Mr. Vijay Verma
... for the opposite party. No. 5.**

**Mr. Srijan Nayak
Mr. Biplab Das
... For the respondent no. 2 and 6.**

The matter relates to election in a Cooperative Society.

The petitioner alleges that he was restrained from submitting his nomination.

It appears that the petitioner failed to lodge a proper representation before the appropriate authority highlighting his grievance.

It further appears from the submissions made on behalf of the parties that the election of the Cooperative Society is scheduled on 30th July, 2023. The last date

for filing the nomination has long expired. At this stage, the Court is not minded to interfere with the election process and permit filing of fresh nomination.

The Commissioner, Cooperative Election Commission is directed to ensure that the election is conducted in a free, fair and peaceful manner on 30th July, 2023.

It will be open for the Cooperative Election Commission to seek necessary assistance from the Superintendent of Police, Ranaghat Police District at the time of conducting the election.

The Officer-in-Charge, Taherpur P.S. is also directed to ensure that there is no breach of peace or unrest and violence at the time of election.

It is made absolutely clear that no civic volunteer will be permitted to interfere with the election process.

Leave is granted to the learned advocate on record of the petitioner to correct the description of the respondent no. 6 in the writ petition. The correct respondent will be Superintendent of Police, Ranaghat Police District.

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.)