

07
09.10.2023
d.p.

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

W.P.A 23928 of 2023

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

**Mr. Shamit Sanyal,
Ms. Priyakshi Banerjee.
...For the Petitioner.**

**Mr. Santanu Kumar Mitra,
Ms. Rama Halder.
...For the State.**

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

The petitioner intends to contest the election of the Cooperative Society. The last date for filing the nomination was over on 7th October, 2023 and today is the date for scrutiny of the nomination papers and publication of the list of valid nominations.

The petitioner submits that on account of the pendency of the earlier writ petition, the petitioner was not in a position to file the nomination within the specified time schedule.

Without going into the issue as to whether at this stage the petitioner can be permitted to file the nomination or not, since the Cooperative Election Commission is the body to hold the election, leave is granted to the petitioner to approach the said authority

by filing appropriate application with necessary prayer(s) by today via electronic mail.

In the event such an application is filed, the same shall be taken up for consideration by the Commission.

The petitioner shall be intimated the fate of the application by day after tomorrow i.e. 11th October, 2023.

The schedule of election published on 29th September, 2023 prescribes the date for withdrawal of the candidature and for publication of the final list of candidates after withdrawal as 10th October, 2023.

The candidature of the petitioner for contesting the said election shall positively be decided by the time as specified hereinabove without interfering with the time schedule of the election.

The writ petition stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)