

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

WPA 28550 of 2023

**Shri Subodh Dutta Choudhury
-versus
Rabindra Bharati University Co-operative Credit
Society Ltd. & Ors.**

**Mr. Kishore Mukherjee.
...For the petitioner.**

**Mr. Srijan Nayak,
Mrs. Rituparna Maitra.
...For the Cooperative Election
Commission.**

The petitioner is a member of the Rabindra Bharati University Cooperative Credit Society Limited. He is an employee of the Rabindra Bharati University. A disciplinary proceeding is pending against him and he has been suspended by the order of the Registrar, Rabindra Bharati University from November, 2022. The suspension order dated 18th November, 2022 mentions that during the period of suspension the petitioner is debarred from entering into the three university campuses.

The petitioner submits that the office of the Cooperative Society is located within the campus of the Rabindra Bharati University. It has further been submitted that the functioning of the Rabindra Bharati University and Cooperative Society are completely independent of each other. The petitioner undertakes that he will enter the campus of the University only for the purpose of election and immediately after the election is over the petitioner will follow the bar of entry as mentioned in the suspension order.

The schedule of election mentions that the distribution and filing of nomination papers will be from 28th December, 2023 to 2nd January, 2024 and the process will conclude on 17th January, 2024.

None represents the Cooperative Society.

The petitioner has applied before the Registrar of the University and the Returning Officer of the Cooperative Society with a prayer to permit the petitioner to participate in the election process of the Cooperative Society. The application of the petitioner is pending consideration.

Since the Society is not represented, the Court is not in a position to take a decision in the matter. There is still some time left before the date of filing the nomination papers.

In view of the above, the instant writ petition is disposed of by directing the Registrar, Rabindra Bharati University and the Returning Officer of the Rabindra Bharati University Cooperative Credit Society Limited to consider the representation that has been filed by the petitioner on 13th December, 2023 in accordance with law at the earliest. The petitioner shall be intimated the fate of the representation that has been filed by him at the earliest but positively by 28th December, 2023.

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.)