

02.08.2024
Sl.163.
Suman
Ct.No.15

WPA 19263 of 2024

Jeevan Krishna Chowdhury
Vs.
The State of West Bengal and Ors.

Mr. Vivekananda Bose
Mr. P. Puranjan Pal
Mr. Rati Kanta Pal
Ms. Ankita Chowdhury
..for the petitioner

Mr. Pabitra Charan Bhattacharjee
Mr. Sovam Nayak
..for respondent nos. 9, 10, 11, 19, 20, 25, 32, 33

Mr. Ranjit Rajak
..for the State

Mr. Srijan Nayak
Mrs. Rituparna Maitra
..for respondent nos. 6, 7 and 8/
West Bengal Co-operative Election Commission.

Mr. Subhajit Panja
..for respondent nos. 9 and 10

Mr. Biplob Das
Mr. Partha Sarathi Pal
..for respondent nos. 3, 4 and 5.

Mr. Rahul Kumar Singh
..for respondent no.13.

In this writ petition, the petitioner, inter alia, has challenged the election for the constitution of Board of Directors of respondent no.9.

It is the grievance of the petitioner that he filed an objection before the Assistant Returning Officer,

Murshidabad Wholesale Consumers Co-operative Society Limited, regarding the inclusion of 24 co-operative societies in the draft voter list. According to the petitioner, the said Co-operative Societies are dysfunctional and did not submit audited returns as required under the relevant statute.

The petitioner submits that without considering his objection, the final voter list was published and the election for the Board of Directors was held.

Mr. Srijan Nayak, learned advocate appearing for respondent nos. 6, 7 and 8, on the other hand, submits that election of the Board Members was held on July 15, 2024, and the election of Office Bearers is sheduled to be held on August 6, 2024.

Mr. Nayak further submits that the petitioner participated in the said election and was elected as a Board Member. He, therefore, cannot question the election process.

It is an admitted position that the petitioner was one of the delegates of a Cooperative society, namely “Basudevpur SKUS Ltd.” contesting the election for the Board of Directors.

The fact remains that he made an objection with regard to the draft voter list published on June 11, 2024. The date of publication of the final voter list was June 14, 2024. The petitioner did not challenge the

final voter list. He participated in the election and was elected through an uncontested election.

I am of the clear view that since the petitioner participated in the election and was elected through an uncontested election, at this juncture, the petitioner cannot challenge the election process on the ground that his objection with regard to the draft voter list was not duly considered.

Accordingly, **WPA 19263 of 2024** is dismissed.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)