

21.11.2024
Sl. No.64
Ct. No.15
S.A.

WPA 24674 of 2024

Sikha Bibi
-vs-
The State of West Bengal & Ors.

Mr. Shahan Shah
Mr. Umenun Khan
Mr. Soumen Barman
...for the petitioner

Mr. Amal Kumar Sen
Ms. Ashima Das (Sil)
...for the State

Mr. P. K. Roy
Mr. Biplab Das
...for respondent nos.3, 4 & 5

Mr. Amanul Islam
Mr. Sourav Mukherjee
...for respondent no.7

Mr. Srijan Nayak
Ms. Rituparna Maitra
Mr. Ankit Sureka
...for Cooperative Election Commission

The petitioner claims to be a member of a self-help group, namely Unnayan Swanirvar Gosthi, under Respondent No. 7, a primary cooperative society. The petitioner alleges that, although the self-help group nominated her to represent it in the election for the formation of the Board of Directors of Respondent No. 7, she was not provided with the necessary forms for such representation by Respondent No. 6.

Mr. Srijan Nayak, learned counsel appearing for the Cooperative Election Commission, submits that the election for the formation of the Board of Directors of Respondent No. 7 was held on October 27, 2024. A total of 183 self-help groups were eligible to send

representatives for the election. Out of these 183 groups, 163 groups sent their representatives who participated in the election.

Mr. Nayak denies the petitioner's allegations, stating that the petitioner never approached Respondent No. 6 for the necessary forms for representing the self-help group.

Learned counsel for Respondent No. 7, on the other hand, submits that the notice for collection of the form was duly served upon the self-help group, and that the Secretary of the self-help group received the notice. However, the group failed to take any step to send its representatives.

In my view, such disputed facts cannot be adjudicated in this writ petition. The petitioner could have raised an election dispute under Section 3(35)(1) of the West Bengal Cooperative Election Commission Regulation, 2012. Since the election has already been completed, I find no grounds for interference at this stage based on the disputed facts alleged in the writ petition.

Accordingly, **WPA 24674 of 2024** is dismissed.

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

(Kausik Chanda, J.)