

26.11.2024
Sl. No.166
Ct. No.15
S.A.

**WPA 27965 of 2024
with
CAN 1 of 2024**

**Bhulunuddin Farazi & Ors
-vs-
The State of West Bengal & Ors.**

Mr. Dhiman Kumar Sengupta
Ms. Farhin Mustaque

...for the petitioners

Mr. Srijan Nayak
Ms. Rituparna Maitra

...for Co-operative Election Commission

Mr. Soumyadeep Biswas

...for respondent no.6

Mr. Ankit Sureka

Mr. Biplab Das

...for the Co-operative Registrar

Though a Coordinate Bench of this Court by an order dated January 5, 2024, in WPA 27624 of 2023 directed for holding the election of Barnia Samabay Krishi Unnayan Samity Limited within a period of six months from the date of communication of the order, it appears that till date the election has not been held.

Learned advocate appearing for the petitioners submits that the Election Commission, however, is going to hold the election on November 30, 2024, without deciding the Election Dispute Case No.14/CEC/2024, which was filed on October 1, 2024 before the Co-operative Election Commission.

Learned advocate appearing for the petitioners also submits that some members have been inducted

into the Samity after notification of the election and their names have been included in the final voter list. The petitioners pray for deletion of names of those members from the final voter list.

In my view, the Election Dispute case should have been disposed of at an early date.

In that view of the matter, I direct the Co-operative Election Commissioner, West Bengal to decide the Election Dispute Case No.14/CEC/2024 within a period of two weeks from date after hearing the petitioners.

If the Election Commission takes the view that the final voter list published for the election requires to be modified, it shall publish a rectified voter list within a period of seven days thereafter.

After publication of the final voter list in terms of this order, the Election Commission shall issue a new election notification within a period of fifteen days.

It is made clear that the petitioners or any other person shall be entitled to raise any further dispute with regard to the final voter list after the Election Dispute case is disposed of.

Accordingly, **WPA 27965 of 2024** along with **CAN 1 of 2024** is disposed of.

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

(Kausik Chanda, J.)