

Sl. No.11
12.12.2024
Suman
Ct. 15

WPA 28908 of 2024

Pradip Nath
Vs.
The State of West Bengal and Ors.

Mr. Omar Faruk Gazi
Ms. A. Najrin
Ms. Susmita Das
..for the petitioner

Mr. Ankit Sureka
Mr. Biplab Das
..for respondent nos. 4 and 8.

Mr. Srijan Nayak
Ms. Rituparna Maitra
..for Co-operative Election Commission

The petitioner alleges that the election for the Burma Repatriate Subhasgram Co-operative Housing Society Ltd. has been pending for an extended period. Additionally, the petitioner claims that the Society's land is being encroached upon by certain miscreants.

Mr. Srijan Nayak, the learned advocate representing the Co-operative Election Commission, submits that the Election Commission appointed an Assistant Returning Officer to conduct the election. However, the election could not take place due to obstructions created by certain members of the Society as well as by some outsiders.

Mr. Sureka, the learned advocate representing respondents 4 and 8, submits that the Society is currently being managed by a Special Officer appointed by the Co-operation Department of the State.

There is no justification for keeping this writ petition pending. Accordingly, the writ petition is disposed of with the following directions:

1. The Special Officer appointed by the State shall prepare the Society's members' register for the purpose of holding the election within two months from the date of this order.

2. The Election Commission shall take the necessary steps to conduct the election and complete the election within four months thereafter.

3. In the preparation of the members' register or in the course of holding the election, should any difficulties arise, the concerned Special Officer may approach the Officer-in-Charge of Baruipur Police Station for assistance. The Inspector-in-Charge shall provide the necessary support for this purpose.

4. The Special Officer is also authorised to approach the Superintendent of Police, Baruipur, 24 Parganas (South), for the protection

of the Society's property. The Superintendent of Police, Baruipur, shall provide the necessary assistance to the Special Officer as required for the protection of the Society's property.

In light of the above, **WPA 28908 of 2024** is disposed of.

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.)