

**IN THE HIGH COURT OF JUDICATURE AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

HEARD ON: 29.04.2024

DELIVERED ON: 29.04.2024

CORAM:

**THE HON'BLE MR. CHIEF JUSTICE T.S. SIVAGNANAM
AND
THE HON'BLE MR. JUSTICE HIRANMAY BHATTACHARYYA
M.A.T. 2410 of 2023
With
I.A. No. CAN 1 of 2023**

**West Bengal Veterinary Alumni Association & Ors.
Versus
Union of India & Ors.**

Appearance:-

**Mr. Partha Sarathi Sengupta
Mr. Sandip Ghose
Mr. Debayan Ghosh**

.....for the Appellants

Mr. Anuran Samanta

.....for the Election Commission of India

JUDGMENT

(Judgment of the Court was delivered by T.S. SIVAGNANAM, C.J.)

1. We have heard the learned advocates for the parties.
2. This intra-Court appeal by the writ petitioners/association is with a prayer that the veterinary doctors should be exempted from election duty. The writ petition was filed sometime in 2011 and the writ petition has been dismissed. In any event, the election process having began, the Court cannot issue any direction.

3. That apart, the appellants have not pointed out any statutory violation for requisitioning veterinary doctors.
4. Therefore, we are not inclined to interfere with the impugned order passed by the learned Single Bench.
5. The appeal along with the connected application (I.A. No. CAN 1 of 2023) stand dismissed.
6. However, liberty is granted to the appellants to make a fresh representation to the Election Commission of India as well as to the State Election Commission, if so advised, seeking for exemption for veterinary doctors from attending election duty.
7. The representation can be submitted after the Parliamentary Elections are over.
8. No costs.
9. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S. SIVAGNANAM)
CHIEF JUSTICE

I agree.

(HIRANMAY BHATTACHARYYA, J.)