

07-02-2025
Item No.6
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.2961 of 2025
Tapan Kumar Bhattacharjee & Anr.

-vs-

The State of West Bengal & Ors.

Mr. Suman Dey ...for the petitioners

Mr. Jahar Lal Dey, AGP
Mr. Jaladhi Das ...for the State

Mr. Jayanta Kumar Das
Ms. Madhumanti Das ...for respondent no.6

1. The petitioners are aggrieved by the action taken by Belgharia Athletic Club in holding its election contrary to the statutory provision. An objection through a learned advocate was raised before the Registrar of Firms, Societies and Non-Trading Corporation, West Bengal on January 31, 2025.
2. A couple of members of the Club also filed an objection before the Registrar of Firms, Societies and Non-Trading Corporation, West Bengal. None of the above objections has been considered till date.
3. The petitioners are apprehensive that if the election scheduled on February 9, 2025 is permitted to be conducted, contrary to the statutory provision, then their rights may be affected.
4. Without going into the merits of the claim of the petitioners, as it appears that the objection of the petitioners is pending consideration before the

Registrar of Firms, Societies and Non-Trading Corporation, West Bengal, being the third respondent herein, accordingly, the instant writ petition is disposed of by directing the third respondent to consider and dispose of the objection filed by the petitioners in accordance with law, after giving reasonable opportunity of hearing to all the necessary parties, at the earliest but positively within four weeks from the date of communication of this order.

5. In the event the said respondent is of the opinion that remedial measures are required to be taken, then necessary steps shall be taken in that regard. The result of the election shall be subject to the decision taken by the Registrar after considering the representation and after hearing the submission of all the parties.
6. The petitioners shall forward a copy of the legal representation submitted in the office of the Registrar of Firms, Societies and Non-trading Corporation, West Bengal on January 31, 2025 along with the supporting documents at the time of communicating this order.
7. All parties are to act on the server copy of this order duly downloaded from the official website of this court.
8. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

