

Sl. No.01.Supple
26.02.2025
Suman
Ct. 15

WPA 4716 of 2025

Ajay Mitra and Ors.
Vs.
The State of West Bengal and Ors.

Mr. Samim Ahammed
Mr. Arka Maity
Ms. Ambiya Khatun
Mr. D. Abbasi
Mr. N. Haque
..for the petitioners

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

Mr. Kishore Datta, Ld. A.G.
Mr. Swapan Banerjee, AGP
Ms. Sumita Shaw
Mr. Tarun Kumar Chatterjee
Mr. Soumen Chatterjee
..for the State

The petitioners' grievance is that they were prevented by certain individuals from filing their nomination papers when they approached the office of the relevant Returning Officer for the election of Medinipur People's Cooperative Bank Limited. Allegations have also been made against the police.

The learned advocate for the petitioners has submitted that some candidates have already filed their nominations by registered post. The deadline for filing nominations was set for February 26, 2026, at 3:00 p.m.

Mr. Nayak, learned advocate representing the Co-operative Election Commission, does not dispute the fact that a candidate is entitled to file their nomination by registered post.

The Co-operative Election Commission is, therefore, directed to consider the nominations of the individuals who have filed their nominations by registered post, provided such nominations reached the office of the Election Commission within the time period specified in the election schedule, i.e., by February 26, 2025.

Although I do not find it necessary to examine the allegations made against the police and other individuals, based on the photographs annexed to the writ petition, there appears to have been some commotion at the time of filing nominations. This may have contributed to the petitioners' inability to submit their nomination papers.

In light of the foregoing and in the interest of justice, I hereby direct the Returning Officer to permit the four writ petitioners to file their nominations by tomorrow, i.e., February 27, 2025, by 1:00 p.m.

Since this writ petition is being disposed of without calling for any affidavits from the respondents, the allegations made in this writ petition shall be deemed not to have been admitted by the respondents.

This order shall not set any precedent.

Accordingly, **WPA 4716 of 2025** 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.)