

27.03.2025
Item No.05
PG/KS
Ct. No.1

W.P.A.(P) 116 of 2025

**Swapan Bera
Versus
The State of West Bengal & Ors.**

Mr. Bikash Ranjan Bhattacharya, Sr. Adv.
Mr. Bikram Banerjee
Mr. Sudipta Dasgupta
Ms. Sagorika Goswami
Mr. Saikat Sutradhar
Mr. Sutirtha Nayekfor the petitioner

Mr. Kishore Datta, Ld. Advocate General
Mr. Swapan Banerjee
Ms. Sumita Shaw
Ms. Amrita Panja Moullickfor the State

Mr. Srijan Nayak
Ms. Rituparna Maitra
.....for the Cooperative Election
Commission

Mr. Rajdeep Majumder, DSGI
Mr. Moyukh Mukherjee.....for the Union of India

Mr. Ankit Surekha
Mr. Biplab Dasfor the respondent no. 14

Mr. Pabitra Charan Bhattacharjee
Mr. Sovan Nayak.....for the respondents 6 & 7

1. Petitioner, who claims to be a voter in the elections to be conducted to the Contai Cooperative Agriculture and Rural Development Bank Ltd. and Contai Co-operative Bank Limited has filed this writ petition as a public interest litigation praying for a direction upon the respondents to deploy Central Armed Police Forces at the polling booths as escorts on the day of delegate election scheduled to be held on March 29, 2025 and on the day of declaration of results, in respect of the

elections to the Contai Cooperative Agricultural Rural Development Bank Limited.

2. Another person, who was also a member of the very same Cooperative Bank has filed another writ petition in W.P.A. 6075 of 2025, which was heard by the learned Single Bench and the prayer for interim order was refused and the writ petition is still pending and a direction has been issued for filing affidavits.
3. The petitioner having claimed to be a member of a particular Cooperative Bank, cannot seek for such a direction in a public interest litigation as the petitioner is personally interested in the elections as he claims to be a voter in the elections to be conducted.
4. Therefore, we are of the view that the present petition cannot be treated as a public interest litigation and therefore, it is held to be not maintainable. Accordingly, the same is dismissed.
5. However, it will be well-open to the petitioner to work out his remedies in accordance with law.
6. No costs.
7. 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

(CHAITALI CHATTERJEE (DAS), J.)