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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 8915 of 2025

Bhabatosh Mondal
Versus
State of West Bengal & Ors.

Mr. Sanjay Banerjee
Ms. Leda Dasgupta
Ms. Labony Roy
... For the petitioner.

Mr. Srijan Nayak
Mrs. Rituparna Maitra
... For the election commission

Mr. P. K. Ray
Mr. Ankit Sureka
Mr. Biplob Das
... For respondent no. 4

1. Affidavit of service filed in Court today is taken on record.
2. The present writ petition has been filed and moved citing extreme urgency.
3. The matter pertains to the election of office bearers of the respondent no.3, which is scheduled to be held on 25th April, 2025. It may be noted that the Assistant Returning Officer by a notification dated 6th February, 2025 had notified all the members of the respondent no.3 the mode of preparation of voters list including publication of draft voters list, receiving objections, hearing of claims and objections and publication of final voters list as

also with regard to the schedule of elections. To morefully appreciate the same the relevant portion of the aforesaid notification is reproduced hereinbelow:-

A. Regarding Voter List					
Sl. No.	Subject	Date	Place	Time	Name of the assign person
1.	Publication of Draft Voter List	07.02.2025	Registered & Working Office of the Society	11.00 a.m.	Authorised Person
2.	Received any claims & Objections	10.02.2025- to 21.02.2025	Working office of the Society(Except Holiday)	11.00 am to 3.00 pm	Authorised Person
3.	Hearing of the claims & Objections	24.02.2025- to 25.02.25	Working office of the Society	12.00 noon to 2.00 pm	A.R.O.
4.	Publication of Final voter list	28.02.2025	Registered & Working Office of the Society	2.00 pm	Authorised Person

B. Schedule for Election					
Sl. No.	Subject	Date	Place	Time	Name of the assign person
5.	Distribution of nomination papers	06.03.2025- 10.03.2025	Office of the Society(Except Holiday)	11.00 am to 3.00 pm	Authorised Person
6.	Filing of nomination papers	06.03.2025- 10.03.2025	Working Office of the Society(Except Holiday)	11.00 am to 3.00 pm	Authorised Person
7.	Scrutiny of nomination paper	11.03.2025	Office of the Society	12:00 noon	A.R.O.
8.	Publication of list of valid nomination	11.03.2025	Office of the Society	After Scrutiny	A.R.O.
9.	Withdrawal of candidature	12.03.2025	Office of the Society	11.00 am to 3.00 pm.	A.R.O.
10.	Publication of final list of valid candidates after withdrawal	12.03.2025	Office of the Society	After withdrawal	A.R.O.
11.	Date, time & place of poll	28.03.2025.	Office of the Society	11.00 a.m. to 2.00 p.m.	Respective Presidl & Polling Officer.
12.	Counting of votes	28.03.2025.	Office of the Society	After poll	Respective Presidl & Polling Officer.
13.	Declaration of Result	28.03.2025.	Office of the Society	After counting	A.R.O.

4. It would transpire from the records that not only the draft voters list had been published after receiving all objections and hearing thereof, the final voters list was published on 28th February, 2025. Still later in terms of the election schedule upon distribution and filing of nomination papers and upon scrutiny thereof and upon publication of final valid candidates after withdrawal, the election

of the directors had taken place in terms of the revised schedule published by the Assistant Returning Officer. However, prior thereto, challenging the nomination of several candidates, the petitioner had filed a writ petition before this Court which was registered as WPA 6482 of 2025. By an order dated 24th March, 2025 a Coordinate Bench of this Court without entering into the merits of the claim of the petitioner had disposed of the writ petition by directing the election commissioner, West Bengal Cooperative Societies Act, 2006 to consider the representation dated 18th March, 2025 if the same was still pending and to dispose of the same in accordance with law. Still later, immediately before the schedule date of election, another writ petition was moved which was registered as WPA 7704 of 2025 raising election dispute relating to the nomination of five several candidates. By an order dated 8th April, 2025, this Court had disposed of such petition by directing the election commission to decide such dispute that had been raised on 26th March, 2025 before the reschedule date of election which was scheduled on 11th April, 2025. Accordingly, the election commission had decided such dispute. Today, once again after the declaration of the results of the directors of the society, a further

representation has been made on 16th April, 2025, challenging the eligibility of 31 voters who have already participated in the election process.

5. Mr. Banerjee, learned advocate appearing in support of the writ petition would submit that at this stage this writ petition can be disposed of by directing the election commissioner to consider the representation dated 16th April, 2025.
6. Mr. Nayak, learned advocate appears on behalf of the election commission.
7. Heard the learned advocates appearing for the respective parties and considered the materials on record. Admittedly, in this case, the Assistant Returning Officer by notification dated 6th February, 2025 had notified all the members of the respondent no.3 with regard to the preparation of voters list as also the schedule of election. From the schedule regarding the voters list, as noted hereinabove, it would transpire that 7th February, 2025 was the date of publication of the draft voters list, while 10th February, 2025 to 21st February, 2025 were fixed for hearing of the claims and objections and 28th February, 2025 was fixed for publication of final voters list. As per the above schedule, not only the draft voters list but after deciding on the claims and objections, the final

voters list had been published on 28th February, 2025. No objection had been raised contemporaneously by the petitioner, who had previously approached this Court by filing the writ petition being WPA 6482 of 2025, which was disposed of by order dated 24th March, 2025. In my view, after the election of directors is already over, it is too late in the day for the petitioner to raise such dispute.

8. Having regard thereto, I find no merit in the writ petition and the same is accordingly dismissed.

Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance of requisite formalities.

(Raja Basu Chowdhury, J.)