

S/L 51
04.11.2025
Court. No. 25
suwayan

WPA 11960 of 2025

Anirban Ghosh & Anr.
Vs.
The State of West Bengal & Ors.

Ms. Parna Roy Choudhury

...for the Petitioners.

Mr. Tanmoy Kr. Ghosh
Mr. Payel Ghosh

...for the State.

Mr. Subrata Kumar Sinha

...for the respondent no. 4.

1. The petitioners have applied for registration of an association under the name and style of “The State Bank of India’s Welfare Association of OBCs for Kolkata Region”. On receipt of the said application, the concerned authority that is the respondent no. 2 has rejected the claim of the petitioners for registration of the association on the ground that similar name already previously registered. On receipt of the rejection order, the petitioners have applied under Right to Information Act to ascertain whether any other previous association is registered under the same or similar name. On receipt of the application under Right to Information Act submitted by the petitioners, the concerned authority has replied to the petitioners stating that the name of entity against which the application for registration has been submitted in online portal does not match with the name as mentioned in the RTI application and requested the petitioners to file a fresh with correct name of the entity.

2. On receipt of the said reply, the petitioners have filed the present application.
3. The respondent nos. 1 and 2 have filed a report dated 2nd September, 2025 stating as follows:

“As per records available to us, the Petitioners of the concerned Writ Petition has applied for registration of a new society namely “State Bank of India OBC Employees’ Welfare Association Kolkata Circle” two times in the e-District portal vide AIN – 10104212487000092 & 210212507000011268 dated 09/02/2024 & 22/02/2025 respectively.

Accordingly to the Section 10 of the West Bengal Societies Registration Act, 1961, “No society shall be registered under a name which is identical with or too nearly resembles, the name of any other society or any body corporate which has been previously registered or incorporated under this Act or any other law for the time being in force as the case may be, or is deemed to have been registered under this Act.” In light of this, as the name of the proposed society mentioned above is very nearly resembles with the society namely “STATE BANK OF INDIA SC/ST & OBC EMPLOYEE’S COUCIL” vide Registration Number S/1L/18741 of 2003-2004, registered under the West Bengal Societies Registration Act, 1961, the application of Registration by the petitioners was rejected by the undersigned.

Moreover, it is found that the object mentioned in the Memorandum of Association of the society applied for registration is more or less similar to the object mentioned in the Memorandum of Association of the aforementioned already registered society.

However, the registered society namely STATE BANK OF INDIA SC/ST & OBC EMPLOYEE’S

COUCIL vide Registration Number S/1L/18741 of 2003-2004 on 14/07/2025 had amended its name without changing its object clause from where it is found that the concerned society excluded the OBC community from its name. As this amendment was affected on a later date, the decision to reject was taken when the applied society and the already registered society resembles..

The scanned copy of the Memorandum of Association and Regulation of the already registered society and the proposed but rejected society in question is attached herewith for ready reference.”

4. Learned counsel for the petitioners submits that the petitioners have applied for registration of the association under the name and style of “The State Bank of India’s Welfare Association of OBCs for Kolkata Region” and from the reply to the RTI it is categorically mentioned that the application submitted by the petitioners does not match any of the association.
5. The respondent nos. 1 and 2 have taken the shelter of Section 10 of the West Bengal Society Registration Act, 1960. The said Act provide that no society shall be registered under the name which is identical with or to nearly resembles, the name of any other society or anybody corporate which has been previously registered or incorporated under this Act. The report submitted by the respondent nos. 1 and 2 further reveals that the registered society namely; State Bank of India SC/ST and OBC Employees’ Council have amended their name by deleting the word “OBC”.

6. The respondent nos. 1 and 2 have admitted that the respondents who taken the shelter that identical association has been registered but that identical association has deleted the word “OBC”.
7. Now the learned counsel for the respondents had taken the further plea that the object of the association of the present petitioners and the object of the State Bank of India SC/ST Employee’s Council are the same.
8. Learned counsel for the respondent submits that Aims and Objects of the bylaws of the said society wherein Clause (ii) reads as follows:

“Two safe guards the interests of SC/ST and OBC employees of the State Bank of India in all respect”.

9. This Court failed to appreciate that once the association has made an application for amendment for deletion of the word “OBC” category and that has been allowed so the question of taking into consideration that the said society is having no aims and objects “OBC” under Clause (ii) of the said memorandum cannot stand.
10. Mr. Sinha, learned advocate for the State Bank of India submits that SBI another association namely; SBI OBC Welfare Association already registered and applied before the Bank for recognition, but the rejection of the application of the petitioners is not on the said ground. The rejection made by the authority is only that similar name of the association is registered, but in reply to the RTI there is no similar association is registered and the similarity which the respondents are comparing with the

name of the petitioners' association the "OBC" has been deleted.

11. Considering the above, this Court finds that the reason on the basis of which the respondent no. 2 has rejected the claim of the petitioners for registration of the association is not in accordance with law. Accordingly, the same is set aside.
12. The respondent no. 2 is directed to consider the case of the petitioners for registration of the association under the name and style of "The State Bank of India's Welfare Association of OBCs for Kolkata Region" within a period of four weeks from the date of receipt of this order.
13. Accordingly, WPA 11960 of 2025 is allowed.
14. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)