

17.07.2025
sayandeep
Sl. No. 02
Ct. No. 05

WPA 13282 of 2025
With
CAN 2 of 2025

Sri Panchanan Patra
Vs.
The West Bengal Co-operative Election Commission, Co-
operation Directorate & ors.

Mr. Sabyasachi Chatterjee
Mr. Subhajit Panja
.... for the petitioner

Mr. Kishore Dutta, Ld. A.G.
Mr. Swapan Banerjee
Ms. Sumita Shaw
Mr. Diptendu Narayan Banerjee
Mr. Tarun Kr. Chatterjee
Mr. Soumen Chatterjee
.....for the State

Mr. Pradeep Kr. Roy, Sr. Advocate
Mr. Ankit Sureka
Mr. Biplab Das
.....for the assistant
registrar of cooperative society

Mr. Srijan Nayak
Mrs. Rituparna Maitra
.....for the respondent Nos. 2,3
Mr. Kamal Krishna Pathak
Mr. Vijay Verma

....for the applicant (CAN 2 of
2025)

In Re: WPA 13282 of 2025

1. Pursuant to the orders dated 1st July, 2025 and 15th July, 2025, Mr. Dhritiman Sarkar, the added respondent No. 9 being the Superintendent of Police, Paschim Medinipur is personally present in Court today. The affidavit filed by him in terms of the aforesaid orders affirmed on 17th July, 2025 is taken on record.

2. The learned Advocate General appears on behalf of the added respondent no.9 and would submit that the added respondent no.9 had no intention to disobey the orders passed by this Court. Having heard the learned advocates for the parties and having considered the affidavit filed by the added respondent no.9 in Court today, although, the explanation in deferring the election on the penultimate day does not appear to be cogent, however, having regard to the fact that the Cooperative Election Commission West Bengal, has already notified a re-scheduled date for holding of election of the delegates of the cooperative society vide notice dated 10th July, 2025, I am of the view that this matter should not be proceeded further.
3. Having regard thereto, and noting the undertaking given by the added respondent No. 9 that he will in future ensure that if for any reason it is not possible to provide for police assistance for holding any election process at the requisition of the Cooperative Election Commission, adequate prior intimation shall be provided and shall ensure adequate police assistance for holding the rescheduled election of the cooperative society, I dispense with his personal appearance.
4. Although, Mr. Chatterjee, learned advocate representing the petitioner would insist that the election now should be conducted under the direct supervision of the added respondent No. 9, I am of the view that there is no such requirement since, the respondent No. 9 by dint of his position would in effect be supervising the law and order within his jurisdiction which includes the cooperative society.
5. Further considering the fact that the petitioner insist that the election should be conducted with CCTV coverage and since Mr. Nayak, learned advocate would submit that principally he has no objection provided, costs for the same are borne by the society, I am of the view that the election may be conducted in terms of

the re-scheduled notification published on 10th July, 2025 by providing for CCTV coverage at the cost of the society. Needless to note that the Superintendent of Police shall ensure the maintenance of law and order for free and fair election of the society on the re-scheduled date.

6. With the above observations and directions, the writ petition is disposed of.

In Re: CAN 2 of 2025

7. Although, Mr. Pathak, learned advocate representing the applicant claims to have filed an application for intervention, having considered his application, I am of the view that the application appears to be based on a separate cause of action and as such no fruitful purpose will be served in entertaining such application.
8. Accordingly, the application being CAN 2 of 2025 is dismissed.
9. Dismissal of such application shall however, not stand in the way of Mr. Pathak's client to take steps in accordance with law.

(Raja Basu Chowdhury, J.)