

26.06.2025
Sayandeep
ADSL
Sl. No. 01
Ct. No. 05

WPA 13737 of 2025

Rasida Bibi & ors.
Vs.
The State of West Bengal & ors.

Mr. Atarup Banerjee
Mr. Md. Golam Nure
Mr. Rajdeep Pramanik

.... for the petitioners

Mr. Sk. Md. Galib
Ms. Sujata Mukherjee

....for the State

Mr. Pradeep Kumar Roy, Sr. Advocate
Mr. Partha Sarathi Pal
Mr. Asis Dutta

....for the respondent No. 2

Mr. Srijan Nayak
Mrs. Rituparna Maitra

.....for the Co-operative
Election Commission, W.B.

1. Affidavit-of-service filed in Court today be taken on record.
2. The writ petition has been filed, *inter alia*, challenging the candidature of seven several candidates who have been identified under serial Nos. 1,4, 8, 12, 14, 17 and 21, in the valid list of Nominated Candidates published by the Assistant Returning Officer on 9th June, 2025. However, according to the petitioners they are defaulter members. Unfortunately, in this regard, no complaint has been made by the petitioners to the Assistant Returning Officer or to the Co-operative Election Commission, West Bengal. The only representation

appears to have been addressed to the D.M., Murshidabad, West Bengal on 13th June, 2025.

3. From a perusal of the election schedule as disclosed in the writ petition, it would transpire that the list of the valid nominated candidates was published on 9th June, 2025.
4. Interestingly, although the petitioners have approached this Court expressing extreme urgency and praying for writ in the nature of mandamus, since there has been no demand justice by the petitioners and/or any objection being raised contemporaneously with the Co-operative Election Commission, West Bengal, I am of the view that the writ petition is not maintainable. It is well settled that demand for justice is a *sine qua non* for seeking writ of mandamus.
5. The writ petition accordingly stands dismissed without any order as to costs.
6. The dismissal of the writ petition, however, shall not stand in the way of the petitioners applying before the Cooperative Election Commission, if so adviced.

(Raja Basu Chowdhury, J.)