

22.07.2025
Item No.
AD 5
Saswata/sayandeep

WPA 14061 of 2025

**Satyanarayan Kar and ors.
Vs
State of West Bengal and ors.**

Mr. Sujit Kr. Ghosh
Ms. P. Roy

...For the petitioners

Mr. Ansar Mondal
Mr. Prabir Kr. Ray

...For the State

Mr. Srijan Nayak
Mr. Biplab Das
Mr. Partha Sarathi Pal

...For the respondent no. 5

1. Supplementary affidavit filed in Court today is retained with the record.
2. The instant writ petition has been filed, *inter alia*, praying for a direction upon the Deputy Registrar of Cooperative Society not to give effect to the letter dated 13th June 2025. According to the petitioners, the petitioner nos. 1, 2 and 3 were appointed as the Manager, Cashier and Accountant in the Biprasekhar Samabay Krishi Unnayan Samity Ltd. (in short the “said society”) respectively. The petitioners claim that the petitioner no.1 was appointed as the Manager-in-Charge by the Special Officer and was directed to continue vide resolution dated 3rd July, 2024. The petitioners seek continuance of the aforesaid position.
3. It appears that the Board of the cooperative society has long been dissolved by expiry of term and no election has till date been conducted. Mr. Nayak learned advocate appearing for the Registrar of Cooperative

Societies has, however, on instruction submitted that ARO has been appointed on 25th July, 2024 for conducting election. Unfortunately, before the ARO could conclude the election, he had retired. Following which a new incumbent had been appointed on 12th February, 2025. According to him, the petitioner no. 1, has already retired on 31st January, 2013. He is, however, continuing on extension as a Manager-in-Charge.

4. Having heard the learned advocates appearing for the respective parties, I am of the view that the said society cannot be indefinitely run without a Board. In view thereof, while directing the Cooperative Election Commission, West Bengal having its office at New Secretariat Building, Block - A, 4th Floor, 1, Kiran Sankar Roy Road, Kolkata – 700001, to be added as a party respondent, I direct Mr. Nayak, learned advocate who usually appears on behalf of the Cooperative Election Commission to appear on their behalf. The **Department** is directed to carry out this order.

Department

5. Considering the fact that election of the said society is long overdue, and noting the fact that the ARO has already been appointed, I direct the Election Commission to ensure early completion of election process not later than two months from the date of communication of this order.
6. Though, it has been submitted by Mr. Nayak that the petitioner no.1 has retired and is on extension, however, taking note of the peculiar facts, I am of the view, if the petitioner no.1 is still continuing his services, he shall

not be disturbed till the new Board takes charge in accordance with Cooperative Societies Act, 2006 or till a period of four months from date, whichever is earlier.

7. With the above direction and observation, the writ petition is disposed of.
8. All parties shall act on the basis of the server copy of this order duly downloaded from this Court's official website.

(Raja Basu Chowdhury, J.)