

29.07.2025
Item No.
AD 94
Saswata

WPA 14614 of 2025

**Sadhana Pahar & Ors.
Vs
The State of West Bengal & Ors.**

Mr. Rajesh Naskar
Md. Jannat Ul Firdous
...For the petitioners

Mr. Srijan Nayak
Ms. Rituparna Maity
...For the Cooperative Election Commission

Mr. Dipanjan Datta, Sr. Adv.
Mr. Subhajit Chowdhury
...For the State

Mr. P.K.Roy, Sr. Adv.
Mr. Biplab Das
Mr. Partha Sarathi Pal
...For the respondent no. 3

Mr. Radhamohan Roy
...For the respondent nos. 8 and 9

1. Affidavit of service filed in Court today is retained with the record.
2. The instant writ petition has been filed, inter alia, challenging the cancellation of the election process initiated by the Cooperative Election Commission, West Bengal which started on 25th April, 2025 on the basis of a notification published by the Assistant Returning Officer of Srishti Sangha PBSS Ltd., a Cooperative Society at Amgachia (hereinafter referred to as the "Society").
3. Records would reveal that although, the Assistant Returning Officer had published the election schedule, however, the Secretary of the Cooperative Election Commission, West Bengal taking note of the hospitalization of the husband of the Assistant Returning Officer had recorded by office memo dated

4th June, 2025 that the Assistant Returning Officer could not follow the rules and regulations of the election procedure of the cooperative society and accordingly, the election was directed to be held *de novo* from the stage of publication of the voters list.

4. The petitioners could not demonstrate as to why they are aggrieved with the aforesaid step. However, having regard to the fact that the election process had already been initiated by the Cooperative Election Commission, West Bengal, I am of the view that such election of the Society should be concluded by the Cooperative Election Commission, West Bengal as early as possible not later than 2 months from the date of communication of this order.
5. The Project Director (Credit)/Assistant Returning Officer are directed to act in accordance with this order. The statutory authorities including the police authorities are also directed to ensure adequate assistance to the Assistant Returning Officer in connection with holding of election process.
6. With the above directions and observations, the writ petition is disposed of.
7. 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.)