

18-07-2025
Item No.5 & 6
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.15072 of 2025

Avik Datta & Anr.

-vs-

The Union of India & Ors.

Mr. Srinjoy Das
Mr. Aritra Ghosh
Ms. Jui Jana
Mr. Saroj Banerjee ...for the petitioners

Mr. Suman Chattopadhyay
Ms. Tapasi Sinha Palit ...for the Union of India

Mr. Uday Sankar Chattopadhyay
Ms. Bidisha Chakraborty
Ms. Sadia Parveen ...for respondents no.5 & 6

1. An objection lodged by the petitioners before the Chief Post Master General in respect of an election proceeding is pending consideration since April 2025. In the meantime, the result of the election has been declared and a new body has taken charge.
2. Learned counsel for the Union of India submits that the Chief Post Master General forwarded the complaint to the higher authority. As there was no further communication from the higher authority, the Chief Post Master General did not take any steps to inquire into the complaint lodged. The Chief Post Master General proceeded to approve the elected members as there was no restraint order from any competent forum.
3. Learned counsel for the fifth and sixth respondents being the private respondents herein

submits that as the election was conducted in the proper manner, the Chief Post Master General proceeded to approve the result of the election.

4. Upon hearing the respective submissions made on behalf of all the parties, it appears that despite receipt of an objection challenging the process of election, the authority did not take steps to respond to the same. The authority ought to have proceeded to dispose of the representation and should not have kept it pending for no specified reason.
5. In view thereof, the instant writ petition is disposed of by directing the Chief Post Master General, the third respondent herein, to consider and dispose of the objection filed by the petitioners strictly in accordance with law at the earliest but positively within four weeks from the date of communication of this order.
6. If the allegations made in the complaint appear to be proper, then necessary remedial steps shall be taken. If required, opportunity of hearing may be provided to all the necessary parties prior to passing the final order in the matter.
7. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
8. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

