

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

**IN THE HIGH COURT AT CALCUTTA**

Constitutional Writ Jurisdiction  
Appellate Side

**WPA No.15297 of 2025**

**Suman Moitra & Ors.**

**-vs-**

**The Union of India & Ors.**

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

Mr. Prabir Bhowmick  
Mr. Subit Majumdar ...for the Union of India

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

1. The petitioners claim to be bona fide members of Bharatiya Postal Employees Association Group C from Barasat Division. An election was conducted by the Employees' Association under the supervision of the observer. The office bearers were elected and the list of the names of such office bearers was forwarded for approval to the Superintendent of Post Offices, Barasat Division on June 30, 2025. The approval is awaiting till date. In the meantime, another unit of the Association has declared election which is scheduled to be held on July 20, 2025.
2. A report of the independent Observer and Inspector of Posts, Basirhat 1<sup>st</sup> Sub Division dated July 4, 2025 has also been placed before this Court; let it be taken on record.
3. The petitioners pray for a direction upon the

Superintendent of Post Offices to approve the list of office bearers who were elected in the election which was conducted on June 29, 2025.

4. Learned counsel representing the fifth and sixth respondents being the private respondents herein submits that no election was conducted on June 29, 2025, and that the State committee communicated a letter to the Superintendent of Post Offices to stop the election.
5. A notice which is allegedly in support of the election to be held by the private respondents is annexed at page 55 of the writ petition. The notice appears to be dated **June 25, 2024** and it was signed by the Secretary of the Employees' Association on **June 25, 2025** and the notice mentioned that the election is scheduled to be held on **July 20, 2026**.
6. On a perusal of the said notice, it appears that the dates appearing in it are absolutely incorrect. An election ought not to be held relying on a notice which has so many errors. Any election held relying on an erroneous notice cannot be held to be valid.
7. In view of the above, the instant writ petition is disposed of by directing the fourth respondent – The Superintendent of Post Offices, Barasat Division – to take a decision on the communication made on June 30, 2025 taking into consideration the report of the independent Observer and Inspector of Posts, Basirhat 1<sup>st</sup> Sub Division dated July 4, 2025 in accordance with law at the earliest but positively within a fortnight from the date of communication of this order. The fate of the consideration shall be made known to all concerned.

8. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
9. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]