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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 15590 of 2025

Ashoke Mondal & Ors.
Versus
The State of West Bengal & Ors.

Mr. Subhrajit Saha
... For the petitioners.

Mr. Srijan Nayak
Mrs. Rituparna Maitra
... For the respondent nos.2 and 3.

Mr. Pradeep Kumar Roy, Sr. Advocate,
Mr. Ankit Sureka
Mr. Biplob Das
... For the respondent no. 4.

1. Affidavit of service filed in Court today is taken on record.
2. On the previous occasion, the aforesaid writ petitioners had approached this Court being aggrieved by the failure on the part of the Cooperative Election Commission to consider the petitioners' representations dated 13th May, 2023 and 14th May, 2025, *inter alia*, including the venue for holding the election. On the said occasion, this Court, by an order dated 17th May, 2025 in WPA 11477 of 2025 taking note of the submissions made by the petitioners had directed the Cooperative Election Commission to consider the petitioners' representation by giving an opportunity of hearing.

3. Pursuant to the aforesaid order, the earlier venue fixed for holding election of the cooperative society has been changed from Jhapberia Higher Secondary School to the registered office of the petitioners' society. According to the petitioners' since there was threat perceptions of the petitioners in the aforesaid school, the Assistant Retuning Officer on the basis of the aforesaid direction upon giving opportunity of hearing to the petitioners and all concerned, rescheduled the election and has changed venue from Jhapberia Higher Secondary School to the registered office of the petitioners' society vide order dated 26th June, 2025. The petitioners are, however, not happy with the reallocation of the election venue and are now interested to have such election conducted at separate venue. Such prayer is found to be unjust and unreasonable.

4. Mr. Nayak, learned advocate appears on behalf of the respondent nos. 2 and 3. He would submit that by reasons of adamant attitude shown by the Highest Designated Employee of the cooperative society, the election scheduled on 20th July, 2025 could not be conducted. In support thereof, he has placed before this Court a communication dated 17th July, 2025, which is taken on record.

5. Having heard the learned advocates for the parties and considering the materials on record, I find from the aforesaid communication that the Highest Designated Employee has contended that unless the matter pending

before the High Court is resolved no fund shall be provided for holding election. The aforesaid conduct of the Highest Designated Employee interferes the election process. Accordingly, I direct the Assistant Returning Officer of the Cooperative Election Commission to conclude the election with a further direction upon the Assistant Returning Officer to forthwith publish a fresh election schedule and complete the election process at the earliest, not later than one month from the date of communication of this order.

6. All parties including the police authorities and the highest designated employee of the society are directed to afford adequate assistance to the Assistant Returning Officer for completing the election in a peaceful manner.

7. With the above observations and directions, the writ petition is disposed of.

Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Raja Basu Chowdhury, J.)