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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 17649 of 2024

Joydev Mondal
Versus
The State of West Bengal & Ors.

Mr. Srinjoy Das
... For the petitioner.

Mr. Srijan Nayak
Mr. Biplab Das
Mr. Partha Sarathi Pal
... For the respondent nos. 2 and 3.

Mr. Sharanya Chatterjee
Mr. Saptak Naskar
... Respondent no.6

Mr. Ankit Sureka
Ms. Rituparna Maitra
... For the Cooperative Election
Commission

1. On 2nd April, 2025, this Court, taking note of the fact that the previous direction issued by the Coordinate Bench dated 20th March, 2025 directing the cooperative election commission to be added as party respondent had not been complied with, granted leave to the advocate-on-record of the petitioner to add West Bengal Cooperative Election Commission. Since then, the election commission has been added as party. It has been submitted on behalf of the election commission that Assistant Returning Officer had

already been appointed.

2. Today, Mr. Sureka, learned advocate representing election commission has placed before this Court the report in the form of affidavit as also the copy of election schedule in respect of Times Cooperative Housing Society Limited, which is taken on record. The relevant portion of the election schedule is extracted hereinbelow:

Times Cooperative Housing Society Ltd.
[Regd. No.09 /CWAH of 1987 /Dt. 28.1.1987]
Regd. Office 125/7A, 5th Borejee Road, Kolkata 700014
Now Society situated at 7/147/A/2, Mahendra Banerjee Road, Kolkata 60

Election Schedule

		GEN.	WOMEN	SC/ST	REMARKS
1	No. of Directors of B.O.D to be elected.	09	01	01	
	SUBJECT	DATE	TIME	PLACE	
2	Nomination Forms to be issued from the society office.	16.05.2025 to 18.05.2025	12 PM. to 3 P.M.	Premises of The Society as there is no office room.	A.R.O. of the Society will issue Nomination paper
3	Date of submission of Filled in Nomination Papers at the office of the society.	19.05.2025 to 21.05.2025	12 p.m. to 3 P.M.	Premises of the Society as there is no office room.	A.R.O. of the Society will receive Nomination paper.
4	Date and Time of the counting of the Nomination Papers	23.05.2025	10.30 pm	Premises of the society	A.R.O will scrutinize the Nomination papers
5	Local Voted Nomination (to be displayed on the notice board of the society)	25.05.2025	Immediately after completion of routine work	Premises of the Society	A.R.O will publish the valid list of Nominations
6	Date & Time of withdrawal of the Nomination Papers	Up to 24.05.2025	Before 5 P.M.	Premises of the Society	Application of withdrawal may be submitted to A.R.O. of the Society by the candidates in person. No authorization will be applicable in this regard.
7	Publication of Final list of Contesting Candidates.	24.05.2025	After 3 P.M.	Premises of the Society	A.R.O will publish the list of Contesting candidates
8	Date & Time of Election, (if needed)	15.06.2025	12 p.m. to 2 P.M.	Premises of the Society	To be conducted as per West Bengal CEC Regulation 2012
9	Counting of votes	15.06.2025	Immediately after completion of election.	Premises of the Society	To be conducted as per West Bengal CEC Regulation 2012
10	Publication of the result of election	15.06.2025	Immediately after completion of counting.	Premises of the Society	To be conducted as per West Bengal CEC Regulation 2012
11	Delivery of Certificate to the winning candidates	25.06.2025	Immediately after publication	Premises of the Society	To be conducted as per West Bengal CEC Regulation 2012

3. From the aforesaid election schedule it would transpire

that steps have already been taken for conducting election of the aforesaid society.

4. Having regard thereto, I am of the view that at this stage there is no scope to pass any further order regarding conducting of elections.
5. Insofar as the petitioner's contention which pertains to disputes concerning the management or business or affairs of the cooperative society is concerned I am of the view that the petitioner should be permitted to avail the alternative remedy in the form of raising a dispute before the Registrar.
6. Insofar as the allegation of the petitioner that illegal and unauthorized transfer of four plots, being plot nos. 12, 14, 29 and 33 of the said cooperative society has been made, I am of the view that the Joint Registrar of Cooperative Societies should look into the matter on the basis of the representation filed by the petitioner, however, final decision in that regard may only be taken subsequent to formation of the new board. The aforesaid enquiry may also stand over till the election results are declared.
7. As such, without adjudicating the dispute raised by the petitioner in relation to the management or business or affairs of the cooperative society, the writ petition stands disposed of.

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

(Raja Basu Chowdhury, J.)