

19.11.2025
Sl. No. 101
g.b.
Court No.24

W.P.A. 16834 of 2025

Santana Singha & Ors.
-Vs-
State of West Bengal & Ors.

Mr. Shaharayar Alam
.....For the Petitioners
Mr. Srijan Nayak
Mrs. Rituparna Maitra
...For the Cooperative Election Commission
Mr. Ankit Sureka
Mr. Biplab Das
Mr. Asis Dutta
.....For the Respondent Nos. 8 and 9
Mr. Santanu Kr. Mitra
Mr. Sudip Sarkar
....For the State

The writ petitioners challenge the election, alleging that the same was held without any notice to them.

The writ petitioners are members of the respondent no.10. Their sole allegation is that the election process was held and completed without any notice to them.

Mr. Mitra, learned advocate appearing for the State files a report, a copy whereof is kept on record by the Assistant Returning Officer, Karandighi – I wherefrom it is clear that the election notices had been published in a local newspaper on 9th April, 2025 and were also

pasted in the office of the Gram Panchayat and the Block Development Office, both on 8th April, 2025.

Mr. Nayak, learned advocate appearing for the respondent no.3 submits that the present writ petition ought not be entertained, in view of the fact that the petitioners had never lodged any complaint with the concerned Returning Officer at any point of time.

Having perused the records and heard the parties, it appears that the representations were made by the petitioners between 4th July, 2025 and 8th July, 2025 to the respondent no.8, who was not an officer of the Election Commission. Thus, the Commission never had any opportunity to consider the grievance of the petitioners.

Mr. Alam, learned advocate appearing for the petitioners submits that the petitioners are uneducated and come from a needy background, on account whereof they are not in a position to avail newspaper or to read the same. Hence, the notice had escaped the petitioners. He further submits that the petitioners had made

representations in July, 2025 to the respondent no.8 under the impression that the said respondent was the Returning Officer of the concerned area.

The petitioners are at liberty to file a representation before the respondent no.3 who will delegate the authority to decide such representation at the district level.

This order shall not be treated as a precedent as the same is being made in view of the unique circumstances of this case.

With these observations and directions, this writ petition is disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties urgently after completion of all necessary formalities.

(Reetobroto Kumar Mitra, J.)