

01.08.2025
Court No.13
Item No. 4
sp

MAT 1201 of 2025
With
CAN No. 1 of 2025
Sunil Ruidas & Ors.
Versus
Saidul Molla & Ors.

Mr. Debabrata Saha Ray, Id. Sr. Adv.
Mr. Neil Basu,
Mr. Sankha Biswas.

...For the appellants/applicants.

Mr. Srijan Nayak,
Mrs. Rituparna Maitra.

... For the Election Commission/respondent no 5.

Mr. Sauradeep Dutta,
Mr. Rajeev Bhattacharya,
Mr. Himadree Ghosh.

..for the writ petitioners/respondents.

1. The appeal is directed against an interim order dated 9th July, 2025 that was extended on two subsequent dates.

2. This Court finds that the dispute before the Single Bench revolves around the nomination papers filed through email by the two petitioners.

3. The Single Bench found, prima facie case made out by the writ petitioner and has stayed the election process.

4. This Court finds that the impugned order dated 9th July, 2025 is informed with sufficient reason. Grant of interim order in a writ petition is discretionary and

exercise of discretion by the Single Bench appears to be duly supported by sufficient grounds.

5. The grievance of the appellants as submitted by the learned Senior Counsel, Mr. Saha Ray, is that out of 896 members, only two persons are aggrieved by the election process. This Court, however, finds that the two persons are those who had filed the nomination papers through email as recorded by the Single Bench.

6. The said two writ petitioners are desirous of participating in the election of bodies of the society/SKUS in question.

7. This Court is, therefore, of the view that the impugned order as extended from time to time calls for no interference. It further appears that on 29th July, 2025, the Single Bench has recorded that the pleadings are complete and the matter has been listed as an adjourned motion on 26th August, 2025.

8. Subject to the business of the Single Bench permitting, the matter may be taken up earlier, if the parties make an appropriate prayer before the Single Bench.

9. With the aforesaid observations, MAT 1201 of 2025 shall stand disposed of.

10. Consequently, CAN 1 of 2025 shall also stand disposed of.

11. There shall be no order as to costs.

12. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)