

05.08.2025
Item No. 33
CT.-05
sayandeep

WPA 17648 of 2025

**Ratanananda Chakraborty & ors.
versus
State of West Bengal & Ors.**

Mr. Hasanuz Zaman Molla

....for the petitioners

Mr. Ankit Sureka
Mr. Biplab Das
Mr. Partha Sarathi Pal

....for the respondent Nos.
2,4,5

Mr. Srijan Nayak
Mrs. Rituparna Maitra

....for the co-
operative election commission

Mr. Tamoghna Pramanick
Mr. Chiranjit Pal

.....for the intervenor

1. The present writ petition has been filed, *inter alia*, praying for a direction upon the Co-operative election Commission , West Bengal to quash the election process of delegates of Nabagram Peoples Co-operative Credit Bank Ltd. (hereinafter referred to as the said society) held on 15th June, 2025.

2. Mr. Molla, learned advocate representing the petitioners by drawing attention of this Court to the complaints lodged by the petitioners with the Co-operative Election Commission, West Bengal on 15th June, 2025 would submit that notwithstanding lodging such complaints, no steps have been taken by the respondents. He also refers to the demand for justice dated 17th June, 2025 addressed to the said Secretary, Co-operative Election Commission, West Bengal.

3. Having heard the learned advocates appearing for the respective parties and noting from Mr. Nayek, learned advocate representing the Co-operative Election Commission, West Bengal that the election has already been completed, however, at the same time, taking note of the fact that complaints have been made by the petitioners as regard the holding of election on 15th June, 2025, I am of the view that the Co-operative Election Commission, West Bengal ought to have taken into consideration the complaints of booth capturing and ought to have redressed the same. Failure to redress the complaints raises serious doubts as regards the electoral process.

4. Although, Mr. Pramanick, learned advocate would like to intervene in the matter and would submit that the return candidates (elected candidates) had not been made parties, I am of the view that no fruitful purpose would be served by keeping the writ petition pending.

5. The writ petition is accordingly disposed of by directing the Co-operative Election Commission, West Bengal to decide upon the disputes raised by the petitioners in accordance with law by treating the same to be a dispute within the meaning of Regulation 3(35)(i) of the West Bengal Cooperative Election Commission Regulations, 2012, by giving opportunity of hearing to the petitioners and all concerned and by permitting the petitioners to rely on evidentiary material to establish its contention. The elected candidates shall also be heard.

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

(Raja Basu Chowdhury, J.)