

08.08.2025.
Court No.13
Item No. 12
ap

M.A.T. No. 1254 of 2025
With
I.A. No. CAN 1 of 2025

Sadhana Pahar & Ors.
Versus
The State of West Bengal & Ors.

Mr. Samim Ahammed,
Mr. Rajesh Naskar,
Ms. Gulsanwara Pervin,
Mr. Jannat Ul Firdous.

...For the appellants.

Mr. Dipanjan Datta, Sr. Govt. Advocate,
Mr. Subhajit Chowdhury.

...For the State.

Mr. Srijan Nayak,
Mrs. Rituparna Maitra.

...For the respondent no.4.

Mr. Radhamohan Ray,
Mr. Suchandra Dey.

...For the respondent nos.8 & 9.

1. Affidavit-of-service filed in Court today be taken on record.
2. Challenge in the instant appeal is an order dated 29th July, 2025 passed by a learned Single Judge of this Court in W.P.A 14614 of 2025.
3. The facts available before this Court and the Single Judge are that an Election was notified to the Srishti Sangha PBSS Limited at Amgachia by the Co-operative Election Commission.
4. The voter's list was finalized. The date of filing nomination was over. So, was the date of withdrawal and list of candidates for election to the post of Director participating in the Election was also finalized. Immediately thereafter the Assistant

Returning Officer's husband fell sick and she could not be available to conduct of election.

5. The ARO by Memo dated 4th June, 2025 notified that the Election procedure to the said Co-operative Society would be held de novo from the stage of publication of the Draft Voter's List.

6. This Court having heard the learned Counsel for the respective parties and especially the Election Commission is of the view that the election process would start de novo, after the stage of publication of final voter's list which has already occurred.

7. For the purpose of dispelling any further doubt, let election process to the aforesaid Srishti Sangha PBSS Limited commence afresh from the stage of receiving nomination for the posts of Board of Directors afresh and dates may be fixed for all stages thereafter by the ARO, preferably, within a period of one week from date.

8. Nomination already submitted, shall be treated as already filed by the ARO.

9. It is expected that the voting process is held peacefully. However, the Superintendent of Police, Diamond Harbour shall deploy necessary police force by the ARO to ensure peaceful election at the polling venue which shall be the Office of the Sangha/Society.

10. With the aforesaid observations, M.A.T. 1254 of 2025 shall stand disposed of.

11. In view of disposal of the appeal itself, the connected application being CAN 1 of 2025 shall also stand disposed of.

12. There will be no order as to costs.

13. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)