

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 21950 of 2025

Md. Safiul Islam & Ors.
Versus
The State of West Bengal & Ors.

Mr. S. K. Das
Ms. Krishna Yadav
... For the petitioners.

Mr. Srijan Nayak
Mrs. Rituparna Maitra
... For the respondent no. 4.

1. The present writ petition has been filed inter alia, praying for a direction upon the respondents not to give effect or further effect to the letter dated 14th August, 2025, issued by the Deputy Registrar of Cooperative Societies, Murshidabad, for holding of the election of delegates.

2. It is the petitioners' contention that several dead members of the cooperative society have been included in the final voters list. Although, the petitioners had subsequently after coming to learn the same and on publication of final voters list had objected, such objection had not been considered instead, the election is being proceeded with.

3. Learned advocate for the petitioners has drawn attention of this Court to the election schedule published on 1st September, 2025 and would submit that on the basis of the aforesaid schedule the election is scheduled

on 24th September, 2025. Accordingly, it is submitted that appropriate orders may be passed for protecting the petitioners' interest and for ensuring that there is free and fair election.

4. Mr. Nayak, learned advocate appears on behalf of the respondent no.4. He submits that in the instant case, the final voters list has been published on 30th August, 2025, after circulation of the draft voters list and upon inviting objection from all concerned. According to him, the objections that were placed before the Cooperative Election Commission, West Bengal, have all been considered. The petitioners at the relevant point of time did not raise any objection. It is only after the declaration of the valid nominations on 11th September, 2025, that the instant writ petition has been filed. The aforesaid petition is but a ploy to delay and postpone the election which is scheduled on 24th September, 2025. No interference is called for.

5. Having heard the learned advocates appearing for the respective parties, I find that in the instant case, admittedly the final voters list has been published on 30th August, 2025. It is also an admitted position that the final publication has been made after inviting objections and after draft publication of the voters list. On the basis of the submissions made I find that the draft publication of the voters list had been made on 14th August, 2025 and the objection in relation thereto was scheduled for consideration between 25th August, 2025 and 29th

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August, 2025 and subsequently on 30th August, 2025 final publication of voters list has been made.

6. The instant writ petition has been filed on 11th September, 2025, after the distribution of nomination papers on publication of final nomination. The petitioners have not been able to demonstrate before this Court as to why no steps have been taken by the petitioners previously. The complaint made by the petitioners is dated 8th September, 2025. The petitioners have also not been able to demonstrate that any contemporaneous complaint had been made. As such I am not inclined to entertain the writ petition at this belated stage, especially when election is scheduled tomorrow i.e. on 24.09.2025.

7. Having regard thereto, the writ petition fails and is accordingly dismissed without any order as to costs.

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

(Raja Basu Chowdhury, J.)