

WPA 26516 of 2025

Sm. Sabitri Roy Barman & Anr.
Vs.
State of West Bengal & Ors.

Mr. Anup Mukhopadhyay
.... for the petitioners

Mr. Ashim Kumar Ganguly, learned AGP
Mr. Subrata Dasgupta
.... for the State

Mr. Ankit Sureka
Mr. Biplab Das
Mr. Partha Sarathi Pal
.... for the respondents no. 2 & 3

Mr. Srijan Nayak
Mrs. Rituparna Maitra
.... for the co-operative
Election Commission

1. Let affidavit-of-service, as filed in Court, be kept on record.
2. The petitioners are the representatives of Rahugram Tista Upasangha. There are 49 self-help groups which are the members of this Upasangha, which will send one representative (Director) to the Sangha. The petitioners allege that they were denied the opportunity to file their nomination papers, as they were not allowed to access the nomination centre.
3. Mr. Mukhopadhyay, learned Advocate representing the petitioners, submits that they

had not been given any access to the nomination centre nor informed of such election schedule, which is being conducted pursuant to an order of this Court. He refers to a complaint of October 16, 2025 to the Assistant Returning Officer regarding the inadequacy of notice to the petitioners.

4. Mr. Nayak, learned Advocate appearing for the Election Commission, submits that there are approximately ten Upasanghas which will send one representative each to the Sangha. The Upasangha of which the petitioners are the members have already sent nomination, that of one Kalpana Roy Barman. In fact, 10 Upasanghas have each sent one nominee, for the post of Director of the Sangha. There are a total of 10 posts. Thus, the election is a formality as there are 10 nominations for 10 posts.
5. Heard the learned Advocates appearing for the parties and perused the materials on record.
6. It appears from the records that as per the election schedule, the nomination papers were distributed on November 3 and November 4, 2025 and the petitioners had not obtained the nomination papers. There is nothing on record to support the contention that the petitioners had been denied access to obtain the nomination

forms. In fact, the complaints of October 16, 2025 and November 7, 2025 do not have any reference to the present grievances. The grievances of the petitioners as urged in the writ petition fall within the exclusive domain of the respondent no. 10. They ought to have approached the adequate authorities or even this Hon'ble Court. There is no complaint to any of the authorities or even the police authorities regarding the case now made out, that the petitioners were not given access to the nomination centre. The petitioners cannot be permitted to disrupt the election process at this last moment, since election is to take place tomorrow i.e. on November 22, 2025. Petitioners are at liberty to seek appropriate remedies which have been undertaken pursuant to an order of this Hon'ble Court. Petitioners have their remedies to approach the Election Commission under the West Bengal Co-operative Societies Act, 2006 and Rules framed thereunder. The Election Commission shall deal with the complaint, if filed by the petitioners, within a reasonable period of time.

5. The writ petition is, thus, disposed of with the aforestated directions.
6. There shall, however, be no order as to costs.

7. Since no affidavit has been called for, the allegations contained in the writ petition are deemed to be denied.
8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)