

05.12.2025

FRIDAY

Court : MB-24
Item : AD-10
Status : DO
ID : 266312
AR : NANDY

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 27608 OF 2025

MALATI MODAK & ORS.

VS.

THE STATE OF WEST BENGAL & ORS.

Mr. Jayanta Narayan Chatterjee, Sr. Advocate

Ms. Supreem Naskar, Advocate

Ms. Jayashree Patra, Advocate

Mr. Pritha Sinha, Advocate

.....for the Petitioner

Mr. Ankit Sureka, Advocate

Mr. Biplab Das, Advocate

Mr. Partha Sarathi Pal, Advocate

.....for the Respondent Nos. 6 & 7

Mr. Srijan Nayak, Advocate

Ms. Rituparna Maitra, Advocate

.....for the Co-operative Election Commission

Mr. Suddhadev Adak, Advocate

Mr. Dipendra Nath Bose, Advocate

.....for the State

1. Affidavit of service, as filed by the petitioners, be kept with the record.
2. The petitioners are aggrieved that certain prospective participants to the election process for the Board of Directors of the respondent no. 18 ought to be disqualified, being defaulters of loan.
3. The election, as pointed out by Mr. Chatterjee, learned Senior Advocate appearing for the petitioners, is slated for 07.12.2025.
4. The petitioners have not arrayed those candidates as party-respondents to the proceedings.
5. However, there is a representation of 28.11.2025 by the petitioners, which is pending consideration of the Cooperative Election

Commission.

6. Mr. Nayak, learned Advocate appearing for the Commission submits that this writ-petition is nothing but a ploy to stall the election process of the respondent Society, which should not be permitted.
7. Since there is a representation pending before the Commission, let such representation be considered and disposed of latest by 12.00 noon tomorrow i.e. 06.12.2025.
8. This order has been passed in the unique facts and circumstances pertaining to the instant case.
9. With these afore-stated directions, **WPA 27608 of 2025 is disposed of.** No order as to costs.

(REETOBROTO KUMAR MITRA, J.)