

ORDER SHEET

RVWO/44/2024
In
WPO/962/2024
IA NO: GA/1/2024

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

DR. SWAPAN KUMAR BOSE AND ORS.
Vs
STATE OF WEST BENGAL AND ORS.

BEFORE:
The Hon'ble JUSTICE KAUSIK CHANDA
Date : 16th April, 2025

Appearance:
Mr. Yashraj Roy, Adv.
Ms. Payel Shome, Adv.
...for petitioners

Ms. Sonal Sinha, Adv.
Ms. Shabnam Farooqui, Adv.
...for respondents

Mr. Srijan Nayak, Adv.
Ms. Rituparna Maitra, Adv.
...for Co-operative Election Commission

The Court: The petitioners seek review of the order dated September 27, 2024 passed by this Court.

Learned Advocate appearing for the review applicants submits that the writ petitioners were not expelled members. The expulsion order passed by the Board of Directors was not accepted by the concerned Registrar of Co-operative Society. Learned Advocate for the review applicants further

submits that the petitioners have duly paid the maintenance charges and there has been no default on their part.

He places reliance upon paragraphs 89 and 90 of the judgment of the Supreme Court reported at (2005) 4 SCC 741 (*Board of Control for Cricket in India and Anr. vs. Netaji Cricket Club and Ors.*) to maintain this review application.

It must be noticed that the order dated September 27, 2024 is an interim order and the Court only came to a, prima facie, finding with regard to the expulsion of the petitioners.

Direction for affidavits were given for arriving at a final finding.

It is submitted by the learned Advocate appearing for the Election Commission that the election was held on 29th September, 2024.

At this juncture, there is no scope to recall the interim order dated September 27, 2024 to grant any relief to the petitioners in this review application.

In that view of the matter, I am not inclined to entertain this review petition.

Accordingly, RVWO/44/2024 and GA/1/2024 are dismissed.

(KAUSIK CHANDA, J.)