

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

APOT/322/2025
IA NO:GA/1/2025
SEBABRATA MUKHERJEE AND ORS
-VS-
THE STATE OF WEST BENGAL AND ORS

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

And

The Hon'ble JUSTICE AJAY KUMAR GUPTA

Date: December 18, 2025.

Ms. S. Das, Adv.; Mr. M. Singha Barma, Adv., for petitioners.
Ms. S. Sinha, Id. AGP; Mr. G. Das, Adv., for State.
Mr. S. Nayak, Adv.; Ms. R. Maitra, Adv., for Cooperative Election Commission.
Mr. A. Sureka, Adv.; Mr. B. Das, Adv., for R-3.

1. The Court: It is submitted by counsel for the appellants/petitioners and Mr. Nayak, counsel for the Co-operative Election Commission as also the counsel for the State that sufficient police protection was deployed and the election was held peacefully.
2. However, it is submitted by counsel for the appellants/petitioners that the percentage of voting was only to the extent of 30%, primarily due to distance and the fact that the election was held on a Sunday. It is further submitted by the counsel that the earlier elections were held with a much higher percentage of voting.

3. The Co-operative Election Commission shall make a note of the same and compare the voting percentages of the years earlier with that of the current election process and ensure that the election is held on a working day and is shifted back to the High Court premises or held at a place closer to the High Court premises.
4. With the aforesaid directions, the appeal, along with the connected application, stands disposed of.
5. There will be no order as to costs.

(RAJASEKHAR MANTHA, J.)

(AJAY KUMAR GUPTA, J.)

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