

24.02.2026
rc/ct.no.05
Item No.30

WPA No. 3290 of 2026
Arya Pratinidhi Sabha & Anr.
Versus
The State of West Bengal & Ors.

Mr. Sandip Kumar De
Mr. Abhik Chitta Kundu for the Petitioners

Mr. Suman Sengupta
Mr. Pradyut Kumar Das
Mr. Sanatan Panja for the State

Mr. Shankar Prasad Dalapati
Mr. Mritunjoy Saha ...for the respondent nos.5&6

Mr. Sankar Biswas
Mr. Debnath Mahata ...for the respondent no.9

Affidavit of service filed by the petitioners and report submitted by the State are taken on record.

The petitioners allege that though the petitioners and office bearers are still members of the executive committee of the Arya Pratinidhi Sabha, Bengal upon being elected through a process of election in terms of the Memorandum of Association and Bye-laws of the Sabha, the private respondents have surreptitiously organized a parallal election during pendency of the election process of the committee, have illegally declared themselves to be the members of the committee and have ousted the petitioners and the legitimate members from the premises. The petitioners lodged a complaint before the police authority which has not been acted upon.

Challenging the maintainability of the writ petition, learned counsels for the private respondents submit that pursuant to an election of the executive committee, the private respondents have been elected as office bearers of the committee on February 01, 2026 and have been performing the functions of the committee since then.

The said contention is denied and disputed by the petitioners.

Learned counsel for the State submits that an enquiry has been held pursuant to the complaint lodged by the petitioners and it is found that the allegations have not been substantiated.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that the material on record demonstrate an internal dispute between two factions of the Sabha comprising the petitioners and the private respondents. Since the petitioners complain that complaint lodged by them before the police authority has not been considered in its proper perspective, they are at liberty to take necessary steps before the jurisdictional Magistrate under Section 175 of the BNSS for redressal of their grievance. They are also at liberty to approach the appropriate forum for recovery of possession as sought in the writ petition.

In the meantime, the police authority shall keep strict vigil in the area in order to avoid any untoward incident in view of the strained relationship between the

parties and shall ensure maintenance of peace and tranquility.

The writ petition is disposed of.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

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

(Suvra Ghosh,J)