

21.04.2026
Sl.229-230
Ct. No.-19
BP

WPA 8579 of 2026

With

WPA 5108 of 2026

Chinmoy Mali

Vs.

The State of West Bengal & Ors.

With

CAN 1 of 2026

Mr. Billwadal Bhattacharyya, Sr. Adv.

Mr. Anish Kumar Mukherjee

Ms. Megha Datta

Mr. Tamoghna Pramanick

....for the petitioner
in both the writ petitions

Mr. Srijan Nayak

Mrs. Rituparna Maitra

....for the Co-operative Election Commission
in both the writ petitions

Mr. K.J. Yusuf, AGP

Mr. Saurav Chaudhuri

....for the State
in WPA 8579/2026

Mr. Vimal Kr. Shahi, AGP

Mr. Anubrata Santra

....for the State
in WPA 5108/2026

Mr. Ankit Sureka

Mr. Biplob Das

....for the respondent Nos.3 to 5
in both the writ petitions

Mr. Dibashis Basu

Mr. Uttam Basak

Mr. Arun Bandyopadhyay

....for the UOI
in both the writ petitions

Pursuant to the order dated 8th April, 2026 the
Superintendent of Police, Birbhum District files a report
dated 14th April, 2026 which is taken on record.

Insofar as the issue under point no.(i) is concerned, it has been specifically stated in the said report that the letter dated 20th March, 2026 issued by the Returning Officer and the Deputy Registrar of Cooperative Societies was received by the office of the Superintendent of Police, Birbhum on 23rd March, 2026.

Mr. Bhattacharyya, learned senior advocate appearing for the petitioner disputes such fact. He submits that such letter was received by the Superintendent of Police on 20th March, 2026 at 9.15 p.m.

Insofar as point no. (ii) is concerned, the report of the Superintendent of Police states that the police authority is ready to provide necessary assistance for the purpose of conducting the election of the Samity on 10th May, 2026.

The report in the form of an affidavit filed by the Assistant Registrar and Deputy Registrar of Cooperative Societies, Birbhum Range and the Returning Officer being the 5th respondent is taken on record.

The said report specifically states that a draft copy of the notification for holding the election on 10th May, 2026 has been annexed to the said report. In paragraph 6 of the said report it has been specifically stated that the letter dated 20th March, 2026 addressed to the Superintendent of Police, Birbhum was sent on 20th March, 2026 through electronic mail and the same was

received by the office of the Superintendent of Police, Birbhum on 9-15 p.m. on that date and a copy of the said letter was also forwarded to the office of the Superintendent of Police which was received by hand service on 23rd March, 2026.

Mr. Nayak, learned advocate appearing for the Cooperative Election Commission submits that if this Court permits the Returning Officer to hold the election on 10th May, 2026, the final notification in terms of the draft notification shall be published on or before 4 p.m. on 23rd April, 2026.

Such submission of Mr. Nayak is placed on record.

This Court by a judgement dated 10th March, 2026 directed the Cooperative Election Commission to initiate the process for conducting the election of the Board of Directors of LSKUS Limited forthwith and to conclude the election as expeditiously as possible but positively within a period of four weeks from the date of receipt of a server copy of this order.

The Superintendent of Police, Birbhum District and the Officer-in-Charge, Chandrapur Police Station were also directed to render assistance for such purpose. The grievance of the petitioner is that in spite of the specific directions passed by this Court to hold the election within a specified time frame the respondent authorities have failed to comply with such directions.

For the present this Court is concerned with the holding of the election of the Board of Directors of LSKUS Limited. The Returning Officer and Deputy Secretary of Cooperative Societies have stated in the report that the draft copy of the notification for holding the election on 10th May, 2026 would be notified if this Court permits such authority to do so.

In view thereof, the Returning Officer and the Deputy Secretary of Cooperative Societies, Birbhum Range being the 5th respondent is directed to publish the final notification in terms of the draft notification annexed at page 10 of the report of the 5th respondent on or before 4 p.m. on 23rd April, 2026.

The Superintendent of Police, Birbhum District and the Officer-in-Charge, Chandrapur Police Station being the respondent nos. 10 and 11 respectively are directed to render necessary assistance and cooperation to the Co-operative Election Commission as well as its officers i.e. the Returning Officer/Assistant Returning Officer as the case may be, in the matter of conduct of election on 10th May, 2026.

In case the respondent nos. 10 and 11 face any difficulty in rendering assistance to the Cooperative Election Commission or its officer in the matter of conduct of election on 10th May, 2026, such fact shall be intimated to the Cooperative Election Commission by the

Superintendent of Police, Birbhum latest by 6th May, 2026.

In the event the 10th and 11th respondent are not in a position to render necessary assistance to the Cooperative Election Commission or its officers for the purpose of conducting the election on 10th May, 2026, it will be open to the Cooperative Election Commission as well as its officers to approach the Secretary, Ministry of Home Affairs being the 14th respondent for deployment of Central Forces for the purpose of conduct of the said election and if such an approach is made, the 14th respondent shall deploy adequate number of Central Forces and render necessary assistance to the Cooperative Election Commission and its officers for conduct of such election on 10th May, 2026.

List this matter for further consideration on 12th May, 2026.

(Hiranmay Bhattacharyya, J.)