

**14.01.2026
Court No.13
Item No.9
AP**

**MAT 2233 of 2025
With
CAN 1 of 2026**

**Sunil Ruidas and Ors.
Vs.
Saidul Molla and Ors.**

Mr. Debabrata Saha Roy, Senior Advocate
Mr. Neil Basu
Mr. Sankha Biswas
Ms. Oindrilla Sarkar
Mr. Avidipta Paul

.... For the Appellants.

Mr. Sauradeep Dutta
Mr. Himadree Ghosh

.... For the Respondent No.1.

Mr. Ankit Sureka
Mr. Biplob Das

.... For the Respondent Nos.4, 6 & 7.

Mr. Srijan Nayak
Ms. Rituparna Maitra

.... For the Cooperative Election Commission.

1. The instant appeal is directed against a judgement and order dated 12th December, 2025 passed by a Single Bench of this Court regarding the election process to the Piysara Station Party Samabay Krishi Unnayan Samity Limited (hereinafter referred to “the PSPSKUSL”).

2. The grievance of the writ petitioners/respondents before the Single Bench was that the election to the PSPSKUSL was held uncontested since they have been prevented from filing nominations and contesting in the same.

3. Learned Single Bench in his discretion exercised under Article 226 of the Constitution of India has directed elections afresh by the impugned judgement and/or order. The appellants, who are the earlier uncontested elected members, are aggrieved by the same.

4. Mr. Srijan Nayak, learned counsel for the Cooperative Election Commission submits that fresh election programme pursuant to the Single Bench's order has already commenced and is in progress.

5. However, it is submitted by Mr. Debabrata Saha Roy, learned senior counsel appearing for the appellants as well as Mr. Nayak that if the writ petitioners/respondents were aggrieved by an earlier election process, they ought to have challenged the same prior to the election. Argument of the writ petitioners/respondents that they were prevented from filing nominations is contrary to the facts available before the Single Bench. There is no formal complaint raised by the writ petitioners/respondents in that regard.

6. This Court is of the view that an uncontested election may not always be a desirable result. Since the process of fresh election has already commenced, this Court is of the view that the appellants could demonstrate their desirability of being Directors to the Board of the PSPSKUSL can always be established in the fresh election process.

7. Since the Single Bench has exercised discretion vested in him in accordance with law, this Court is not inclined to interfere with the said order.

8. All parties may proceed and freely participate in the new election process.

9. The Superintendent of Police, Hooghly Rural shall render all necessary assistance in ensuring that the election to the PPSKUSL is held smoothly, peacefully and without any disturbance. All measures shall be taken by the Superintendent of Police, Hooghly Rural in this regard.

10. Let a copy of this order be communicated to the Superintendent of Police, Hooghly Rural.

11. With the aforesaid directions, the MAT 2233 of 2025 is disposed of. Consequently, CAN 1 of 2026 is also disposed of.

12. There shall be no order as to costs.

13. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)