

Court No. 19
(265719)

19.05.2026
(AD 246)
(S. Banerjee)

WPA 8177 of 2026

Sri Ranjan Nandi & Ors.
Vs.
The State of West Bengal & Ors.

CAN 1 of 2026

Mr. Kaustav Seal

...for the petitioners

Mr. Srinjoy Das

Mr. Aritra Ghosh

Mr. Debarpan Dutta

Ms. Sneha Das

...for the petitioner (in CAN 1 of 2026)

Mr. Pradip Kumar Roy, Sr. Advocate

Mr. Partha Sarathi Pal

...for the respondent nos. 2, 3 and 6

Mr. Srijan Nayak

Ms. Rituparna Moitra

...for the respondent no. 4

Mr. Ankit Sureka

Mr. Biplob Das

...for the respondent no. 5

The immediate grievance of the petitioners is that the respondent nos. 7 and 8 have not concluded the re-audit within the time limit fixed by a coordinate Bench in the order dated August 24, 2024 in WPA 18660 of 2024.

It is not in dispute the election as scheduled on August 24, 2024 has already been conducted. The applicants in CAN 1 of 2026 has prayed for an order allowing them to intervene in this writ petition. Learned advocate appearing for the applicants in CAN

1 of 2026 submits that the coordinate Bench by an order dated August 23, 2024 though permitted holding of elections that was scheduled on August 24, 2024 as well as publication of the result of the election but restrained the authorities from giving any effect to such result until the irregularities and mismanagement as held by the concerned respondent in its reasoned decision dated June 22, 2024 is totally redressed. The learned advocate for the applicant in CAN 1 of 2026 submits that some of the tainted members of the erstwhile Board has been reelected in the election that was conducted on August 24, 2024. He submits that if the newly elected Board is permitted to take over charge, the re-audit as directed to be conducted by the coordinate Bench shall be hampered and the enquiry and investigation into the irregularities cannot be conducted in a fair and transparent manner.

Mr. Roy, learned Senior Advocate, appearing for the Registrar of Cooperative Societies submits that the tenure of the Special Officer who was appointed at the relevant point of time, stood expired and at present neither any Special Officer nor any nominated Board is in charge. He submits that unless and until a Special Officer or any nominated Board is appointed, the re-audit cannot be conducted.

Learned advocate appearing for the writ petitioners places reliance upon sub-Section (7) of Section 29 of the West Bengal Cooperative Societies Act, 2006 and submits that since the elected Board could not function owing to the order passed by the coordinate Bench, the Registrar should be directed to constitute a nominated Board of Directors from amongst the members.

On a query of the Court as to whether the applicant in CAN 1 of 2026 has any objection if the Registrar is directed to constitute a nominated Board of Directors by including only the members who were not the members of the erstwhile Board, the learned advocate for the applicant in CAN 1 of 2026 submits that the applicants do not have any objection in that regard.

In the light of the submissions made by the learned advocates for the respective parties this Court directs the Registrar of Cooperative Societies, being the 2nd respondent to constitute a nominated Board of Directors in the manner as provided under Section 29(7) of the 2006 Act by including only the members who were not part of the erstwhile Board against whom allegations of misappropriation of funds and other irregularities are still pending adjudication.

It would be open to the petitioners and the applicants in CAN 1 of 2026 to suggest the names of the members from amongst the elected members who shall be the members of the nominated Board to the Registrar within a period of a week from the receipt of a server copy of this order.

Immediately upon receipt of the suggested names from the writ petitioners and the applicants in CAN 1 of 2026, the 2nd respondent shall constitute a nominated Board of Directors with such members within a fortnight from the receipt of the suggested names as directed hereinbefore.

The nominated Board of Directors shall render all cooperation and assistance to the respondent nos. 5, 7 and 8 in the matter of conduct of re-audit.

Insofar as the issue with regard to the enquiry into the irregularities and mismanagement as pointed by the 4th respondent in WPA 18660 of 2024, the concerned Registrar of Cooperative Societies is directed to appoint a competent officer for probing into such illegalities and irregularities and such officer shall conclude the entire proceeding within a period of four months from the date of such appointment.

With the above observations this writ petition being WPA 8177 of 2026 and the application being CAN 1 of 2026 stand disposed of.

(Hiranmay Bhattacharyya, J.)