

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)**

WPA(P) 250 of 2021

Date of decision: 20.09.2021

(Through Video Conferencing)

DR. KUNAL SAHA AND ANOTHER

...Petitioner

Through : Dr. Kunal Saha, petitioner-in-person

-versus-

THE ELECTION COMMISSION OF INDIA AND OTHERS

...Respondents

Through : Mr. Dipayan Choudhury, Mr.
Sidhant Kumar, Ms. Manyaa
Chandok, Ms. Priyanka Chowdhury
(VC), Advocates for the ECI.

**Coram: THE HON'BLE JUSTICE RAJESH BINDAL,
CHIEF JUSTICE (ACTING)
THE HON'BLE JUSTICE RAJARSHI BHARADWAJ,
JUDGE**

ORDER

1. The present petition is sought to be filed in public interest praying that the respondent Nos. 1 and 2 be directed to proceed against the respondent Nos. 3 and 4 by initiating contempt proceedings for violating the direction in **Rambabu Singh Thakur vs. Sunil Arora & Ors., (2020) 3 SCC 733**. Further direction has been sought against the respondent Nos. 1 and 2 to ensure that the candidates who file their nominations comply

with the direction issued by the Hon'ble the Supreme Court in the aforesaid judgment.

2. After hearing the petitioner who appears in-person, we do not find any case is made out to entertain the present writ petition. Firstly, if any contempt petition is to be filed with reference to alleged violation of the direction of the Hon'ble the Supreme Court, the remedy does not lie in this Court. In any case it is for the party aggrieved to approach the appropriate forum for initiating appropriate proceedings in case it is found that there is any violation of the judgments/directions issued by the Hon'ble the Supreme Court.

3. The present writ petition is accordingly dismissed.

(RAJESH BINDAL)
CHIEF JUSTICE (ACTING)

(RAJARSHI BHARADWAJ)
JUDGE

Kolkata
20/09/2021

PA(SS)