

Sl. No.33
29.09.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A 22714 of 2022

Bharatiya Janata Party
Versus
The State of West Bengal & Ors.

Mr. Samarajit Roy Choudhury
Mr. Nilanjan Bhattacharjee
Mr. Ajit Kumar Mishra
Mr. Abhishek Dey

... for the Petitioner.

Mr. Lalit Mohan Mahata
Mr. Prasanta Behari Mahata

... for the State

The petitioner claims to be aggrieved by the Public Notice dated 19th September, 2022 issued by the District Magistrate and the District Municipal Officer, Howrah.

The proposal for delimitation of the wards of the Howrah Municipal Corporation has been placed.

The public notice clearly mentions that objection/suggestion, if any, may be filed within 1st October, 2022 at the office of the District Magistrate and District Municipal Officer, Howrah.

According to the petitioner, such public notice ought not to have been issued as the present law does not permit such delimitation.

Learned advocate representing the State respondents including the District Municipal Election Officer submits that the writ petition is premature. The

notice calls for objection/suggestion to be filed within 1st October, 2022. The matter is at the proposal stage and no final decision has been taken.

On a perusal of the public notice, it appears that certain proposal have been put forth by the District Municipal Election Officer. The proposal is yet to materialize. The same has not been approved or attained finality till date. Objection/suggestion has been called for. The Court has been informed that suggestion/objection has already been filed by the petitioner before the competent authority.

It will be open for the competent authority to consider the same in accordance with law.

No order is required to be passed in the present writ petition.

The same fails and is hereby dismissed.

Affidavit of service filed in Court is taken on records.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)