

23-02-2023  
ct no. 13  
Sl.7  
sp

**WPA 2283 of 2021**  
Smt. Sumitra Mondal & Ors.  
**-Versus-**

Union of India & Ors.

Mr. Samim Ahammed,  
Ms. Gulsanwra Pervin,  
Mr. Arka Ranjan Bhattacharya  
....for the petitioners

Mr. Anuran Samanta  
..for the ECI

The representative of the Electoral Officer, Dr. Kakali Mukherjee, the Deputy CEO, is present in Court.

The Assistant Electoral Registration Officer, 126-Hingalganj (SC) AC, North 24 Parganas & Block Development Officer, Hingalganj, North 24 Parganas has submitted a communication addressed to the District Magistrate, North 24 Parganas dated 02.02.2023.

It appears that a hearing has been conducted on September 8, 2020. The Electoral Officer has found that the petitioner/objector has not been able to file valid documents in support of the objection that Debaprasad Mondal and Shyam Mondal are not the citizens of India.

The said Debaprasad Mondal and Shyam Mondal have produced relevant documents in support of their identity.

In the above circumstances, prayer (b) of the writ petition cannot be allowed. However, since the petitioners have effective and alternative remedy before the District Electoral Officer (DEO) and thereafter under the Representation of Peoples Act, 1950, he may file such appeal. The legality of the documents produced by the private respondents may also be taken up by the petitioners in accordance with law.

With the aforesaid directions, the instant writ petition shall stand disposed of.

The personal presence of Ms. Kakali Mukherjee, is dispensed with.

There shall be no order as to costs.

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

**(Rajasekhar Mantha, J.)**