

Item No. 6(SL)

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

20.06.2023
Ct-24

WPA 14591 of 2023
Abdus Samad Molla

v.

The West Bengal State Election Commission & Ors.

Mr. Q.A.M.Firoz
Mr. Arun Shaw
Ms. Tashmoyee Mukherjee
... for the petitioner.

Ms. Sonal Sinha
Mr. Sujit Gupta
Mr. Sayan Datta
Mr. Soumen Chatterjee
... for the State Election Commission.

The petitioner intended to participate in the Panchayat General Election, 2023 as an OBC- A candidate relying on the basis of a caste certificate issued by the Sub-Divisional Officer, Barasat in the year 2013.

The petitioner claims that the original caste certificate was missing and accordingly General Diary Entry was lodged before the police station.

The grievance of the petitioner is that the Panchayat Returning Officer did not accept the nomination of the petitioner as OBC- A candidate.

The petitioner has annexed a copy of the OBC Certificate. It appears therefrom that the spelling of the name of the petitioner and the spelling of the name of

the father of the petitioner do not tally with the spelling mentioned in the cause title of the writ petition and the OBC Certificate.

The petitioner has signed in vernacular. It is not possible to ascertain as to whether the caste certificate relied upon is of the petitioner or not. There are several discrepancies in the spellings mentioned in the writ petition, the Voters' Identity Card issued by the Election Commission of India and the OBC Certificate issued by the Sub-Divisional Officer, Barasat.

With so many inconsistencies the prayer of the petitioner to permit him to contest the Panchayat General Election, 2023, cannot be accepted.

At this stage it will not be possible for the Court to grant any relief to the petitioner.

The writ petition fails and is hereby dismissed.

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

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(Amrita Sinha, J.)