

SL 09
20.06.2023
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 14595 of 2023

**Abdul Ahad Sekh
-versus
The Secretary of West Bengal Election
Commission & Ors.**

**Mr. Sabyasachi Chatterjee,
Mr. Sandipan Das,
Mr. Sayan Banerjee,
Mr. Badrul Karim,
Mr. Subhajit Saha.
...For the Petitioner.**

**Ms. Sonal Sinha,
Mr. Sayan Datta,
Mr. Soumen Chatterjee,
Mr. Sujit Gupta.
...For Election Commission.**

The petitioner intends to participate in the Panchayat General Election 2023 from a reserved category post.

An application was made by the petitioner for obtaining the caste certificate on 11th June, 2023. The same is yet to be issued in his favour.

The petitioner submits that as the Returning Officer accepted the nomination of the petitioner treating him as reserved category candidate, accordingly, he ought to be permitted to contest the election.

The aforesaid submission of the petitioner cannot be accepted by the Court.

The WB Panchayat Elections Act, 2023 requires production of the caste certificate in the event the candidate contests for the reserved category post. The petitioner in the present case is yet to obtain the caste certificate.

Accordingly, the petitioner cannot be permitted to contest the election from the reserved category post.

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 photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)