

03.07.2023
Item No.13
gd/ssd

WPA(P)/313/2023

SIKSHANURAGI UNITED ASSOCIATION, BALICHAK
AND ANR.

VS

UNION OF INDIA AND ORS.

Mr. Partha Sarathi Bhattacharya,
Mr. Anindya Bose,
Mr. Raju Bhattacharya,
Mr. Diptendu Mandal,
Mr. Mridul Biswas.
..for the Petitioners.

Mr. Arka Kr. Nag,
Mr. S. Bandopadhyay
..for the State.

Mr. Billwadal Bhattacharyya, Ld. DSGI.,
Ms. Sabita Roy
..for the Union of India.

Ms. Sonal Sinha,
Mr. Tarun Kr. Chatterjee,
Mr. Sujit Gupta,
Mr. Sayak Datta,
Mr. Soumen Chattejee
..for the Election Commission.

1. By this public interest litigation the petitioners essentially seek for three directions: firstly, with regard to the circulation of the names of the Government employees, who will be assigned as Polling Officers for the ensuing Panchayat Election; the second contention is that the Polling Officers and Polling Personnel, who are to be assigned duty should not be contractual employees and physically challenged persons; and the third prayer is to deploy adequate

number of Central Armed Police Forces for the ensuing Panchayat Election.

2. So far as the circulation of the names of the Government employees, the matter is already being looked into in the contempt application which is being heard by a different Division Bench and leave has also been granted to the present association to intervene in those proceedings.

3. Therefore, a separate writ petition for such purpose need not be entertained.

4. So far as the deployment of contractual employees, already Court has passed an order and no further direction is issued by way of a separate writ petition.

5. It is alleged by the petitioners that some of the Polling Officers and Polling personnel are physically challenged and they should not be deployed. If there is a clear statutory bar from doing so, then the State Election Commission shall not deploy physically challenged persons to function as Polling Officers or Polling personnel.

6. With regard to adequate deployment of Central Armed Force, the same was also considered and separate orders have been passed in the other writ petitions. Therefore, a fresh writ petition on the same aspect is unnecessary.

7. With the above observations, this writ petition stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)