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26.06.2023
d.p.

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

W.P.A 14921 of 2023

**Hiralal Hazra & Anr.
-versus
State of West Bengal Ors.**

**Mr. Samim Ahammed,
Mr. Arka Maity,
Md. Nazimuddin Siddique,
Mr. Nepesh Majhi,
Ms. Gulsanwara Pervin,
Mr. Arka Ranjan Bhattacharya.
...For the Petitioners.**

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

**Mr. Sirsanya Bandopadhyay,
Mr. Arka Kumar Nag.
...For the State.**

The petitioners challenge the inaction on the part of the State Election Commission to take steps to dispose of the objection filed by the District Secretariat member of the political party of whom the petitioners are the supporters raising objection against the candidature of the private respondents.

Specific allegation of the petitioners is that the information mentioned in the documents uploaded in the portal of the Commission in respect of the private respondents is incomplete.

The nomination of the candidates relying upon such incomplete information ought not to have been accepted by the Commission.

Incomplete declaration, non-furnishing the details of the proposer and the witnesses ought to be treated as valid grounds for rejection of the candidature of the proposed candidate.

Learned advocate appearing for the respondents are yet to receive instruction in the matter.

Without going into the merits of the allegation of the petitioners, the instant writ petition is disposed of by directing the State Election Commission to take a decision on the objection lodged on behalf of the petitioners and upon consideration of the objection if it appears that the allegation of the petitioners is correct, then take necessary remedial steps in the matter.

The Commission shall act at the earliest, but positively by 28th June, 2023.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)