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Ct No24
AGM

27.06
2023

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

WPA 15018 of 2023

**Nirmal Kumar Dhara
Vs
State of West Bengal & Ors.**

**Mr. Tilak Mitra
Mr. Sukanta Banerjee
Mr. Soumen Nanda**

... for the Petitioner.

**Ms. Sonal Sinha
Mr. Tarun Kr. Chatterjee
Mr. Sujit Gupta
Mr. Sayan Datta**

... For the Election Commission.

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

The petitioner complains that the District Panchayat Election Officer and the District Magistrate, Bankura is yet to take steps in compliance of the communication made by the Additional Secretary, State Election Commission on 22nd June, 2023 with regard to the complaint lodged by the petitioner.

Learned advocate representing the State Election Commission has produced the communication made by the Panchayat Returning Officer and the BDO, Indus, Bankura to the District Panchayat Election Officer and District Magistrate dated 22nd June, 2023 wherein it has been

specifically mentioned that the complainant himself was present on the first date of nomination and 52 number of DCRS were issued to them, but no nomination was filed on that particular date from BJP. Next date only one nomination was filed by the BJP, no Form B was issued against any candidate. One candidate has become an independent candidate and except this candidate none from the BJP has filed nomination from the first to the last date of nomination. No issue with regard to the law and order situation has arisen inside the BDO office campus.

A communication has been made by the Additional SP (Operation), Bankura to the SP, Bankura dated 23rd June, 2023 in response to the petition filed by the petitioner.

It appears therefrom that one PS case No. 108 of 2023 dated 14.06.2023 under Sections 143/147/148/153/186/332/353/506 IPC read with Section 3 of PDPP Act and 9 of MPO Act has been started against one Bhola Dutta and 100-150 others. Investigation of this case is under progress.

An enquiry was also conducted in response to the allegation against Qutubuddin Khan, SDPO, Bishnupur and SI Somnath Paul, Officer-in-charge, Indas PS, but nothing could be found.

Let copy of the action taken report be served upon the learned advocate representing the petitioner.

It appears that the respondents have already acted in response to the complaint lodged by the petitioner.

In view of the above, there is no requirement to proceed with the writ petition any further.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)