

15
Ct No24
AGM

27.06
2023

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

WPA 15094 of 2023

**Soumen Fushti
Vs
State of West Bengal & Ors.**

**Mr. Firdous Samim
Ms. Gopa Biswas**

... 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 is aggrieved by the act on the part of the respondent authorities in accepting the candidature of the private respondent as a candidate of the All India Trinamool Congress.

The petitioner intends to contest the election on the ticket of the All India Trinamool Congress but it appears that the candidature of the respondent no. 9 has been considered to contest as a candidate of the All India Trinamool Congress.

The petitioner submits that his grievance has been forwarded before the Commission but there is no response till date.

It appears from the submissions made on behalf of the petitioner that the grounds agitated

herein may be the grounds for filing election petition.

The writ petition may not be entertained on the said grounds.

Learned advocate for the petitioner prays for a direction upon the Commission to preserve the video/CCTV footage on and from 15.06.2023 till 21.06.2023 of the BDO office where the nomination took place.

The video footage which the petitioner requires to be preserved may be required for the purpose of effective adjudication of any election petition that may be filed later on.

In view of the above, the Commission is directed to properly preserve the footage in respect of the BDO office for the period 15.06.2023 to 21.06.2023 and the same may be produced as and when called for by any competent authority.

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.)