

Item No. 2(SL)

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

04.07.2023
Ct-24

WPA 15740 of 2023
Kashem Gazi
v.
The State of West Bengal & Ors.

Mr. Mohinoor Rahaman
Ms. Iqra Rahaman
... for the petitioner.

Mr. Anuran Samanta
... for ECI.

Mr. Santanu Kumar Mitra
Ms. Rama Halder
... for the State.

The petitioner alleges that the private respondent ought not to be treated as eligible candidate for contesting the Panchayat General Elections, 2023 as the wife of the private respondent is an existing contractor of the Panchayat Samity.

Work order issued in favour of the wife of the private respondent is annexed to the writ petition. It appears therefrom that the same was issued on March 25, 2023 and the time within which the work ought to have been concluded is thirty days.

From the timeline appearing in the work order it appears that the contract ought to have been concluded by April 2023. The notification declaring the Panchayat General Elections was made in June 2023.

The work order issued in favour of the wife of the private respondent ought to have been concluded by the said date.

In view of the above, it cannot be taken that the wife of the private respondent is an existing contractor of the Panchayat Samity.

No relief can be granted to the petitioner in the instant writ petition.

The writ petition fails and is hereby dismissed.

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

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(Amrita Sinha, J.)