

Item No. 7(SL)

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

04.07.2023
Ct-24

WPA 15790 of 2023
Sarfaraj Shah

v.

The West Bengal State Election Commission & Ors.

Mr. Ritzu Ghosal
Mr. Debanik Banerjee
Mr. Akash Ganguly
... for the petitioner.

Ms. Sonal Sinha
Mr. Tarun Kumar Chatterjee
Mr. Sujit Gupta
Mr. Sayan Datta
Mr. Soumen Chatterjee
... for the State Election Commission.

The petitioner prays for a direction upon the State Election Commission to act in accordance with the direction in the order being No. 1434-SEC/5C-14/2023 dated June 21, 2023 issued by the State Election Commission wherein it has been mentioned that:-

“ The Commission, in exercise of the powers conferred by Article 243 K of the Constitution of India read with Section 73 of the West Bengal Panchayat Elections Act, 2003 read with Rule 96(1) of the West Bengal Panchayat Elections Rules, 2006, hereby orders that the used and sealed ballot boxes and other records and materials of all polling stations where panchayat elections are scheduled to be held on the 8th of July, 2023 shall be brought to a central place, as may be appointed by the Panchayat Returning Officer, for safe custody and for counting of votes on the 11th of July, 2023.”

It has been alleged that the Panchayat Returning Officers are not acting in accordance with the aforesaid direction passed by the State Election Commissioner.

The present writ petition is disposed of by directing the all Panchayat Returning Officers to act in accordance with the direction passed in the order dated June 21, 2023.

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.

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(Amrita Sinha, J.)