

SL 08
06.07.2023
AGM

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

W.P.A 16012 of 2023

**Md. Basir Khan & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Samim Ahammed
Mr. Nepesh Majhi
Ms. G. 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. Lalit Mohan Mahato
Mr. Rudranil De
...For the State.**

The petitioners are contesting candidates of the Panchayat General Elections, 2023. They allege that FIR with false allegations has been lodged against them before the police because of which, the police is harassing them and not permitting them and their supporters to properly campaign and take part in the election process.

Without going into the veracity of the allegations made in the instant writ petition and in view of the fact that the election process is on and the Commission is bound to ensure that there is no disturbance during the election process, the Court thinks it fit to direct the

Commission and the police to ensure that the contesting candidates are not being harassed and they may be permitted to participate in the election process and the entire election is conducted in a free and fair manner without undue influence from any quarter whatsoever.

The Commission shall ensure that the candidates, their supporters and agents are not harassed or disturbed in any manner in participating in the election process till the declaration of the results.

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.)