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07.07.2023
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**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 16161 of 2023

**Pranab Kumar Bhattacharyya
-versus
The West Bengal State Election Commission & Ors.**

**Mr. Mrityunjoy Chatterjee,
Mr. Manas Das,
Mr. Debapriya Mazumder.
...For the Petitioner.**

**Mr. Jishnu Saha, Sr. Adv.
Ms. Sonal Sinha,
Mr. Tarun Chatterjee,
Mr. Sujit Gupta,
Mr. Sayan Datta,
Mr. Soumen Chatterjee
...For the State Election Commission.**

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

The petitioner prays for a direction upon the State Election Commission to consider shifting of the counting centre from Sultanganj College to Kaliachak High School.

The petitioner apprehends that for maintaining the safety and security of the ballot boxes, the counting centre is liable to be shifted.

It is noticed that the Panchayat Elections are scheduled to be held on tomorrow (08.07.2023). Any interference at this stage may cause disruption in the election process.

Attention of the Court has been drawn to the direction passed by the Hon'ble PIL Bench in CPAN 831 of 2023 (Suvendu Adhikari & Anr -Vs- Rajiva Sinha) regarding posting of the central forces at the time of

transportation of the ballot boxes to the receiving stations for safeguarding the same and also at the time of counting till the declaration of results will be strictly followed.

The Hon'ble Division Bench has clearly mentioned that the central forces shall continue to remain in the State for a period of ten days from the date on which the results will be declared and all other subsidiary issues may be brought to the notice of the State Election Commission or to any of the control rooms which have been established throughout the State or to any of the observers who have been nominated by the Commission. The issues shall be taken serious note of and examine an appropriate step be taken to redress to all genuine grievances.

The Election Commission, Superintendent of Police as well as the IG, BSF being the nodal officer are directed to take steps strictly in accordance with the direction passed by the Hon'ble Division Bench on 6th July, 2023 and ensure that there is enough security both at the receiving section and the counting centre and also in the entire process of transportation of the ballot boxes to the centralized counting station. The ballot boxes are to be safely preserved in the counting station. There shall be deployment of adequate central forces as well as State police to make sure that no untoward incident takes place either at the time of voting or thereafter. The security arrangement shall be tight enough to maintain the purity in the election process and that none can allege that the election was not free and fair.

In line with the hope expressed by the Hon'ble Division Bench, this Court also hopes that the election of the Panchayat may be held peacefully and the public will be entitled to cast their vote without any fear in their mind.

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.)