

SL 06
14.07.2023
agm/d.p.

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

W.P.A 16653 of 2023

**Kashmira Khan
-versus
The West Bengal State Election
Commission & Ors.**

**Mr. Mritunjoy Chatterjee,
Mr. Sandipan Pal,
Mr. Debapriya Majumder,
Ms. Tithi Chakraborty.
...For the Petitioner.**

**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.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner is a contesting candidate of the Panchayat General Elections, 2023. Her husband is her counting agent.

The petitioner alleges that in the midst of the counting, her husband was mercilessly beaten and incident of snatching and looting of ballot papers took place at the instance of the supporters of the ruling dispensation.

A complaint was lodged before the State Election Commission and the Panchayat Returning Officer, Sankrail Block.

None has been answered till date.

It appears from the documents annexed to the writ petition that the petitioner approached this Court on an earlier occasion by filing a writ petition being WPA 15208 of 2023 (Kashmira Khan –vs- The State of West Bengal & Ors.) seeking police protection.

The Court in the earlier writ petition gave liberty to the petitioner to approach the local police station by way of an application, in the event either she or her husband apprehends any threat.

As it appears the petitioner has already lodged complaint before the respondent authorities highlighting the issue of snatching and looting of ballot papers, the said complaint is required to be looked into and enquired by the competent authority.

The State Election Commission is directed to enquire into the matter and take necessary remedial steps if the allegations of the petitioner are found to be true.

A decision shall be taken in the matter within a week and the reasoned order shall be communicated to the petitioner immediately thereafter.

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.)