

SL 08
18.07.2023
AGM

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

W.P.A 16658 of 2023

**Pratima Mallik
-versus
The West Bengal State Election Commission & Ors.**

**Mr. Zohaib Rauf
Ms. Manidipa Mondal
Mr. Ajitesh Pandey
Mr. Zubeen Pandey
...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 contested in the Panchayat General Elections, 2023. Form 18 was handed over to the petitioner on the date of the polls.

The petitioner submits that after the counting was over, she was declared as the winner but certificate was not issued in her favour. After sometime the petitioner was declared the loser.

The petitioner is not aware as to how and when the recounting took place.

The petitioner lodged complaint before the District Magistrate and also before the Returning Officer on the date of counting, that is, 11th July, 2023. None of the representations have been considered till date.

Without going into the merits of the allegation of the petitioner, as it appears that the representation filed by the petitioner is pending consideration at the end of the respondent authority, accordingly, the writ petition is disposed of by directing the Block Development Officer being the Panchayat Returning Officer to consider the representation filed by the petitioner in accordance with law at the earliest but positively by 7th August, 2023.

A reasoned order shall be passed and communicated to the petitioner immediately thereafter.

The petitioner prays for a direction upon the respondent authorities for supplying the result sheet.

If an application is made by the petitioner seeking the result sheet, the same shall be forwarded to the petitioner at the earliest but positively by 3rd August, 2023.

Prayer has also been made for preservation of the CCTV/Video footage of the counting centre on the date of counting.

The concerned authorities are directed to carefully and properly preserve all evidences including the CCTV/Video footage of the date of counting at Srirampore Textile College.

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.)