

SL 05
24.07.2023
AGM

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

W.P.A 16699 of 2023

**Debprasad Naskar
-versus
The State of West Bengal & Ors.**

**Mr. Gouranga Kumar Das
Ms. Swati Mondal
...For the Petitioner.**

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

The petitioner contested the Panchayat General Elections, 2023.

He complains that there is a mismatch with regard to the number of votes polled and the number of ballot papers found in the ballot boxes.

A complaint was lodged by the Panchayat Returning Officer on 8th July, 2023. The same is yet to be disposed of.

Without going into the merits of the allegations of the petitioners, as it appears that a representation is pending consideration before the State Election Commission, accordingly, the instant writ petition is disposed of by directing Panchayat Returning Officer to consider and dispose of the representation filed by the petitioner in accordance with law at the earliest but

positively within a period of ten days from the date of communication of this order.

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

The CCTV/Video footages and the ballot papers in respect of the concerned constituency shall be properly preserved and be produced before the Court as and when directed.

Learned advocate for the petitioners is directed to forward a copy of the representation dated 8th July, 2023 seeking consideration along with all supporting documents to the aforesaid respondent at the time of communicating the order of the Court.

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.)