

SL 24
18.07.2023
AGM

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

W.P.A 16771 of 2023

**Munsi Nazbul Karim
-versus
The West Bengal State Election Commission & Ors.**

**Mr. Anjan Bhattacharya
Ms. Anita Shaw
Ms. Salma Sultana
...For the Petitioner.**

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

**Mr. Amal Kumar Sen, AGP
Mr. Jaladhi Das
...For the State.**

The petitioner contested the Panchayat General Elections, 2023.

Allegation is the petitioner is that the distinguishing mark of the Presiding Officer was illegally and arbitrarily handed over to the voters because of which several ballot papers were found to be defective.

The petitioner got to know of the aforesaid incident at the time of counting of votes. A complaint was lodged before the Panchayat Returning Officer on 13th July, 2023. The same is yet to be considered.

After hearing the submissions made on behalf of the parties, it appears that the grievance of the

petitioner can be redressed, if an election petition is filed.

In view of the above, leave is granted to the petitioner to approach the appropriate forum by way of election petition highlighting his grievance if so advices.

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.)