

SL 13
19.07.2023
AGM

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

W.P.A 16803 of 2023

**Champa Khatun Bibi
-versus
Election Commission, West Bengal State Election
Commission & Ors.**

**Mr. Rabiul Islam
Mr. Raju Mondal
...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. Santanu Kumar Mitra
Mrs. Rama Halder
... for the State.**

The petitioner contested the Panchayat General Elections, 2023.

According to the petitioner 9 (nine) ballot papers were not counted on the day of counting.

The petitioner lost by 4 votes.

The petitioner asserts that the votes of the 9 ballot papers, which were not counted, were in her favour.

A complaint was lodged before the State Election Commission on 11th July, 2023. The same is yet to be considered.

Without entering into the merits of the allegation made in the complaint, as it appears that the complaint lodged by the petitioner is pending consideration at the

end of the Commission, accordingly, the writ petition is disposed of by directing the Election Commission to consider and decide the objection filed by the petitioner in accordance with law at the earliest but positively by 3rd of August, 2023.

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

Learned advocate for the petitioner is directed to forward a copy of the representation dated 11th July, 2023 to the aforesaid respondent at the time of communicating the order of the Court.

The State Election Commission is, however, directed to preserve the CCTV/Video footage and the ballot papers of the polling station no. 184 Choapara Gram Panchayat Jalangi Block Murshidabad on the day of the poll and at the time of counting.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)