

SL 25
19.07.2023
SH

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

W.P.A 16823 of 2023

**Asauddin
-versus
The State of West Bengal & Ors.**

**Mr. Lalmohan Khan
Mr. Supratik Sasmal
Mr. S.M. Ismail
Mr. Aktar Hossain
...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 Nag
...For the State.**

The petitioner contested the Panchayat General Elections, 2023.

He challenges the manner in which the counting took place on the date of counting.

It has been submitted that neither the candidate nor his counting agent was permitted to remain inside the counting centre. They were brutally and mercilessly beaten and thrown out of the centre.

Complaint was lodged before the State Election Commission, District Magistrate and before the police.

None of the complaints have been answered.

Without going into the merits of the allegation made in the complaint filed by the petitioner, the instant writ petition is disposed of by directing the State Election Commission to look into the complaint filed by the petitioner at the earliest, but positively within a period of ten days from the date of communication of a copy of this order.

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 seeking consideration to the aforesaid respondent at the time communicating the order of the Court.

The Panchayat Returning Officer is directed to properly preserve the CCTV/Video footages and the ballot papers and to produce the same as and when directed.

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.)