

SL 39
19.07.2023
sb. Ct.24

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

W.P.A 16889 of 2023

Biswanath Baidya
-versus
The Secretary of West Bengal Election Commission &
Ors.

Mr. Sabyasachi Chatterjee
Mr. Imtiaz Ahamed
Mr. Omar Faruk Gazi
Mr. Sayan Banerjee
Mr. Sandipan Das
Mr. Badrul Karim
Mr. Subhajit Saha
Mr. Kiron Sk

...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 Kumar Nag
...For the State.

Mr. Billwadal Bhattacharya
Mr. Arijit Majumder
... For Union of India.
Mr. Mir Anuruzzaman
... For the respondent no.13.

The petitioner contested the Panchayat General
Elections, 2023.

On the issue of serious malpractice at the time of
the election a complaint was lodged before the Election

Commission on 12th July, 2023 and 16th July, 2023.
The same is yet to be considered.

Without going into the merits of the claim of the petitioner, as it appears that the complaint lodged by the petitioner is pending consideration, accordingly, the instant writ petition is disposed of by directing the Election Commission to consider and dispose of the same 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 learned advocate for the petitioner is directed to forward a copy of the complaint dated July 12, 2023 and July 16, 2023 to the aforesaid respondent at the time of 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 called for.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Amrita Sinha, J.)