

SL 31
21.07.2023
AGM

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

W.P.A 16944 of 2023

**Md. Mansur Rahaman
-versus
The State of West Bengal & Ors.**

**Mr. Samim ul Bari
...For the Petitioners.**

The petitioner contested the Panchayat General Elections, 2023.

His allegation is that there is serious issue of malpractice at the time of counting of votes. Ballot papers were missing and the number of ballot papers as mentioned in Form 18 does not tally with the number of ballot papers found at the time of counting.

A complaint was lodged before the Panchayat Returning Officer. The same is yet to be disposed of.

Without going into the merits of the allegations of the petitioner, as it appears that a representation is pending consideration before the State Election Commission, accordingly, the instant writ petition is disposed of by directing the Panchayat Returning Officer, being the respondent no. 7, Block Development 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 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.)