

Item No.13

In the High Court At Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side

04.09.2023  
Ct-24

WPA 16959 of 2023  
Md. Safikul Islam

v.

The State of West Bengal & Ors.

Mr. Neil Basu  
Mr. Sankha Biswas  
...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. Arka Kumar Nag.  
...For the State.

A report has been filed in the form of affidavit by the Panchayat Returning Officer, Deganga Block. It appears therefrom that 762 ballot papers were found in the ballot box as per Form-18 and the Presiding Officer's diary mentions that from 1 p.m. to 3 p.m. 287 votes and from 3 p.m. to 5 p.m. 308 votes were casted.

The specific allegation of the petitioner is that rigging took place after 2 p.m.

From Form-21 that is the result sheet it appears that the petitioner secured only 73 votes. The margin by which the petitioner lost appears to be huge.

Accordingly, the allegation of the petitioner that there was rigging for which he lost the election cannot be ascertained from the documents placed before this Court.

No relief can be granted to the petitioner in the instant case.

The writ petition fails and is hereby dismissed.

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

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**(Amrita Sinha, J.)**