

SL 47
21.07.2023
AGM

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

W.P.A 16981 of 2023

**Hajekul Alam & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Samim Ahammed
Ms. Gulsanwara Pervin
...For the Petitioners.**

**Mr. Sirsanya Bandopadhyay
...For the State.**

**Ms. Sonal Sinha
... For the State Election Commission.**

The petitioners contested the Panchayat General Elections, 2023.

They allege that the ballot boxes were sealed prior to sending the same to the strong room. After opening the ballot boxes in the counting centre, it revealed that there was mismatch of the Presiding Officer's signature in the reverse of the ballot paper. Complaint was lodged before the Block Development Officer, being the PRO. The same is yet to be disposed of.

Without going into the merits of the allegations of the petitioners, as it appears that a representation is pending consideration before the State Election Commission, accordingly, the instant writ petition is disposed of by directing Returning Officer/Block Development Officer, being the respondent to 3 to consider and dispose of the representation filed by the

petitioners 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 no. 1 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.

The BDO shall scrutinize the CCTV footages to ascertain the veracity of the allegations made by the petitioners.

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.)