

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

W.P.A 16990 of 2023

Bandana Roy Biswas
versus
The State of West Bengal & Ors.

Mr. Jagabandhu Ray
...For the Petitioner.

Ms. Sonal Sinha,
Mr. Tarun Chatterjee,
Mr. Sujit Gupta,
Mr. Sayan Datta,
Mr. Soumen Chatterjee
...For the State Election Commission.

Mr. Lalit Mohan Mahata
Mr. Ziaul Haque
...For the State.

Affidavit of service filed in Court today is taken on
record.

The petitioner contested the Panchayat General
Elections, 2023.

Allegation is that there is serious mismatch in the
number of votes polled on the day of the poll and at the
time of declaration of the result.

A complaint was lodged before the Panchayat
Returning Officer on 15th July, 2023. The same has not
been considered till date.

From the averments made in the writ petition and the documents annexed thereto, it appears that the result of the election was declared on 11th July, 2023 and the complaint was lodged long thereafter.

At this stage, the prayer of the petitioner for consideration of the complaint cannot be accepted.

The writ petition fails and is hereby dismissed.

Dismissal of the writ petition will, however, not stand in the way of the petitioner from filing election petition in accordance with law, if so advised.

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.

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

(Amrita Sinha, J.)