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06.09.2023
d.p.

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

W.P.A 17006 of 2023

**Sk. Serajul Islam & Anr.
-versus
The State of West Bengal & Ors.**

**Mr. Arka Ranjan Bhattacharya.
...For the Petitioners.**

**Mr. Sirsanya Bandyopadhyay,
Mr. Arka Kumar Nag.
... For the State.**

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

The petitioners contested the Panchayat General Elections, 2023. The petitioner no.1 lost by 18 votes and the petitioner no.2 lost by 52 votes. The number of ballot papers alleged to be missing is 14.

The petitioners seek re-counting.

Report of the Panchayat Returning Officer mentions that even if all the 14 ballot papers are taken to be polled in favour of the petitioners then also the petitioners fall behind the number of votes secured by the winning candidate.

I have heard the submissions made on behalf of all the parties.

The explanation given by the respondent in not acceding to the prayer of the petitioners for re-counting appears to be a plausible one.

In view of the above, there is no reason for interference in the writ petition.

The writ petition stands dismissed.

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

(Amrita Sinha, J.)