

Item No.59

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

01.08.2023
Ct-24

WPA 17025 of 2023
Swapan Mondal & Ors.
v.
The Secretary of West Bengal Election Commission &
Ors.

Mr. Sabyasachi Chatterjee
Mr. Subhrajit Saha
Mr. Sandipan Das
Mr. Badrul Karim
Mr. Kiron Sk
... for the petitioners.

Mr. Tarun Kumar 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.

Mr. Billwadal Bhattacharyya, ld. DSGI
Mr. Arijit Majumder
... for UOI.

Mr. Anuran Samanta
... for the respondent no. 3.

The petitioners contested the Panchayat General
Elections, 2023.

They allege that the petitioners were mercilessly
beaten and thrown out of the counting center.

Complaint was lodged before the respondent authorities but the same is yet to be disposed of.

Without going into the merit of the allegations made in the complaint filed on behalf of the petitioners, the instant writ petition is disposed of by directing the State Election Commission to consider and dispose of the complaint filed on behalf of the petitioners at the earliest, but positively within a period of ten days from the date of communication of a copy of this order.

A reasoned order shall be passed and communicated to the petitioners immediately thereafter.

The learned advocate for the petitioners is directed to forward a copy of the complaint dated July 11, 2023 to the State Election Commission at the time of communicating the order of the Court.

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.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

Sh.

(Amrita Sinha, J.)