

Item No.22

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

24.07.2023
Ct-24

WPA 17039 of 2023

Sunil Mandal & Anr.

v.

The State of West Bengal & Ors.

Mr. Shayak Chakraborty

Mr. Abdul Zahid

Mr. Shahriar Hossain

...For the petitioners.

Mr. Santanu Mitra

Mr. Amartya Pal

... 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 petitioners allege that the number of votes polled is less than the number of votes counted. There are discrepancies in the figures as mentioned in Form-18 and the result of the election.

It appears that complaint was lodged before the Commission on July 15, 2023. The same is yet to be disposed of.

Learned advocate representing the State respondents submits that the difference in between the

votes polled and the votes counted were reconciled in accordance with the guidelines framed by the State Election Commission.

Upon hearing the parties and upon perusal of the documents it appears that complaint was lodged by the petitioners but long after the declaration of the result.

In view of the above, no relief can be granted to the petitioners in the instant writ petition.

The writ petition fails and is hereby dismissed.

It will be open for the petitioners to approach the appropriate forum by way of an election petition, if permissible in law, for redressal of their grievances, if so advised.

The Panchayat Returning Officer is directed to properly preserve the CCTV/Video footages and the ballot papers and produce the same as and when directed.

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

Sh.

(Amrita Sinha, J.)