

SL 13
25.07.2023
AGM

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

W.P.A 17059 of 2023

**Taruk Mia
-versus
The State of West Bengal & Ors.**

**Mr. Sovon Dasgupta
...For the Petitioner.**

**Mr. Sirsanya Bandopadyay
...For the State.**

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

**Mr. Dhananjay Banerjee
Mr. Arup Kumar Bhowmik
... for the respondent no. 24.**

The petitioner alleges that the nomination paper of the private respondent was incorrectly accepted by the Commission. The returned candidate, that is, respondent no. 24 has been convicted for ten years in a criminal proceeding.

According to the petitioner, the private respondent could not have contested the Panchayat General Elections, 2023. A complaint was lodged before the respondent authorities. The same is yet to be disposed of.

The ground for filing the present writ petition appears to be one of the grounds which are available for filing an election petition.

The election is over and the result has been declared.

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

The writ petition stands dismissed.

Dismissal of the writ petition will however not stand in the way of the petitioner to approach the appropriate forum by way of an election petition, if so advised.

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

(Amrita Sinha, J.)