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04.10.2023
d.p.

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

W.P.A 17087 of 2023

**Janatunessa Khatun
-versus
The State of West Bengal & Ors.**

**Md. Shahin Uz Zaman,
Mr. Saswata Chatterjee.
...For the Petitioner.**

**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.**

Report filed by the State Election Commission
and is taken on record.

The allegation of the petitioner is that number of
votes stood cancelled on account of not signing and not
affixing the rubber seal by the Presiding Officer in the
reverse of the ballot papers.

A complaint was lodged by the petitioner on 11th
July, 2023, that is, on the date of counting of votes.

On a perusal of the said complaint lodged by the
petitioner, it appears that the number of ballot papers
which stood cancelled for the above defect is not

mentioned. A vague allegation that the ballot papers were cancelled on account of the above defect is mentioned.

With such vague allegation, the prayer of the petitioner seeking recounting cannot be allowed.

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

The writ petition fails and is hereby 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.)