

Item No.35

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

24.07.2023
Ct-24

WPA 17090 of 2023

Tumpa Haldar

v.

The State of West Bengal & Ors.

Mr. G.K. Das

Ms. S. Mondal

...For the petitioner.

Mr. Santanu Kumar Mitra

Ms. Rama Halder

... 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 petitioner contested the Panchayat General Elections, 2023.

Her allegation is that several ballot papers were cancelled as there was no signature of the Presiding Officer and the distinguishing rubber seal were missing in the reverse of the ballot papers. On account of cancellation of such huge number of ballot papers the result of the election has varied.

The petitioner alleges that votes in the said ballot papers were casted in her favour. The petitioner lodged complaint before the Panchayat Returning Officer on

July 14, 2023 but there is no response from the end of the said officer.

It appears from the submission made on behalf of the petitioner and upon perusal of the materials on record that complaint was lodged by the petitioner long after the declaration of the result.

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.

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 in accordance with law, for redressal of her 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.)