

Item No.17

In The High Court At Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side

25.07.2023  
Ct-24

**WPA 17100 of 2023**

**Nasiruddin Biswas**

**v.**

**The State of West Bengal & Ors.**

**Mr. Narayan Debnath**

**Sk. Md. Shahin Uzzaman**

**Mr. Saswata Chatterjee**

**Ms. Debnath**

**...For the petitioner.**

**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 and lost by five votes.

The petitioner submits that there were several ballot papers without the seal and distinguishing mark of the Presiding Officer in the reverse.

On account of cancellation of several ballot papers, the result of the election is alleged to be manipulated.

Complaint was lodged before the Panchayat Returning Officer on July 13, 2023 but the same is yet to be considered and disposed of.

Without going into the merits of the allegation made in the complaint filed by the petitioner, the instant writ petition is disposed of by directing the Panchayat Returning Officer to look into the complaint filed by the petitioner 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 petitioner immediately thereafter.

The learned advocate for the petitioner is directed to forward a copy of the complaint dated July 13, 2023 to the Panchayat Returning Officer 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.)**