

Item No.19

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

25.07.2023
Ct-24

WPA 17104 of 2023

Jaigun

v.

The West Bengal State Election Commission & Ors.

Md. Munta Khab

...For the petitioner.

Mr. Santanu Kumar 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 petitioner contested the Panchayat General Elections, 2023.

She alleges that there was severe incident of violence, booth capturing, rigging and other illegal activities on the day of the poll. A complaint was lodged before the Panchayat Returning Officer seeking repoll. The same is yet to be disposed of.

It has been submitted that on account of incidents of repeated violence in the area, complaint could not be lodged in proper time. The complaint was ultimately lodged on July 13, 2023.

Learned advocate representing the State respondents submits, upon instruction that, the

complaint filed by the petitioner was duly addressed and police case has already been registered.

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 Block Development 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 along with all supporting documents and evidences to the Block Development Officer at the time of communicating the order of the Court.

The Panchayat Returning Officer is directed to peruse the CCTV/Video footages to arrive at a decision in the matter and properly preserve the same along with the ballot papers and 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.)