

Item No.20

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

25.07.2023
Ct-24

WPA 17105 of 2023

Selim Sahriwar & Ors.

v.

**The Secretary of West Bengal Election Commission &
Ors.**

Mr. Swagata Datta

...For the petitioners.

Ms. Ipsita Banerjee

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

They allege several illegalities on the day of the poll and at the time of counting

It appears that the petitioners are yet to lodge a formal complaint before the State Election Commission even though the result of the election was declared long back.

At this stage there is no scope to permit the petitioners to file fresh complaint before the Commission.

In view of the above, no relief can be granted to the petitioners 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 petitioners to approach the appropriate forum by way of an election petition in accordance with law, for redressal of their 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.)