

Item No.57

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

26.07.2023
Ct-24

WPA 17207 of 2023

Golam Mostafa & Ors.

v.

West Bengal State Election Commission & Ors.

Mr. Mohaimanul Mondal

...For the petitioners.

Mr. Sirsanya Bandopadhyay

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.

The petitioners contested the Panchayat General Elections, 2023.

They allege rigging, booth capturing, violence and several other illegalities on the day of the poll and also on the day of the counting. Repeated messages were forwarded to the Panchayat Returning Officer. The petitioners allege none has been considered till date.

Without going into the merits of the allegation made in the complaint filed by the petitioners, the instant writ petition is disposed of by directing State Election Commission to consider and dispose the complaint filed by the petitioners 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 petitioners is directed to forward a copy of the complaint dated July 8, 2023 to the State Election Commission 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.

Report filed by the Hariharpara Police Station, Murshidabad is taken on record.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

Sh.

(Amrita Sinha, J.)