

Item No.19

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

28.07.2023
Ct-24

WPA 17225 of 2023

Safiqul Islam

v.

The State of West Bengal & Ors.

Mr. Arka Maiti

Ms. Gulsanwara Pervin

...For the petitioner.

Mr. Amal Kumar Sen, Ld. AGP.

Mr. Lal Mohan Basu

... 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 and lost by four votes.

Allegation is that the petitioner was initially declared as the winner but the election certificate was not issued in his favour. He was asked to wait from morning till the evening for the purpose of handing over the election certificate but ultimately the said certificate was issued to somebody else.

Complaint was lodged by the petitioner on July 14, 2023. The same is yet to be considered.

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 State Election Commission to consider and dispose 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 14, 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.

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

Sh.

(Amrita Sinha, J.)