

31.07.2023
Item No. 64
Crt. No.24.
KB

W.P.A. 17283 of 2023

**Jiyaur Rahaman
Vs.
The West Bengal State
Election Commission & Ors.**

Mr. Koustav Bagchi
Mr. Debayan Ghosh
Ms. Priti Kar
... For the petitioner.

Mr. Sunny Nandy
Mr. Nurnobi Seikh
Mr. Imtiaz Kabir
... For the Respondent No.5.

Mr. Tarun Kumar Chatterjee
Mr. Sujit Gupta
Mr. Sayan Datta
Mr. Soumen Chatterjee
... For the State Election Commission.

The petitioner contested in the Panchayat
General Elections, 2023.

He raises allegation with regard to the
discrepancy in the number of ballot papers found in
the ballot box and the number of ballot papers as
appearing in the counting sheet/Form 19A and the
figures disclosed in the website of the Election
Commission.

It has been submitted that due to the
violence on the day of the poll, a re-poll was
conducted. Even thereafter there was severe
violence and the men and agents of the petitioner

were mercilessly beaten and thrown out of the polling booth as well as counting centre.

Due to threat of life, complaint could not be lodged in proper time. A complaint through e-mail was forwarded on 16th July, 2023. The same is yet to be answered.

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 State Election Commission to consider and dispose of the objection filed by the petitioner on 16th July, 2023 in accordance with law, but positively within a period of ten days from the date of communication of a copy of this order.

The aforesaid respondent shall pass a reasoned order and communicated to the petitioner immediately thereafter.

The learned advocate for the petitioner is directed to forward a copy of the complaint through e-mail on 16th July, 2023, Form 18, Form-19A and the result as reflected in the official website of the Commission to the aforesaid respondent at the time of communicating the order of the Court.

The respondent authorities are directed to properly preserve the CCTV/Video footages and the ballot papers of the said constituency to be produced as and when called for.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)