

Item No.70

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

31.07.2023
Ct-24

WPA 17299 of 2023

Golam Mostafa

v.

The West Bengal State Election Commission & Ors.

Mr. Ashok Das

Mr. Chandrachur Chatterjee

Mr. Sourav Mukherjee

...For the petitioner.

None

... For the State.

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.

His allegation is that there is discrepancy in the number of ballot papers found in the ballot box as reflected in Form-18 and the number of ballot papers counted.

Objection was lodged before the Commission through post on July 19, 2023. The petitioner prays for consideration of the said objection.

It appears that the result of the election was declared on July 11, 2023. Objection being lodged long

thereafter, the prayer of the petitioner cannot be considered.

In view of the above, the writ petition fails and is hereby dismissed.

Dismissal of the writ petition will, however, not stand in the way of the petitioner to approach the appropriate forum by way of an election petition in accordance with law, for redressal of his 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.)