

Item No.79

In The High Court At Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side

31.07.2023  
Ct-24

**WPA 17320 of 2023**

**Malay Bachhar & Anr.**

**v.**

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

**Mr. Sabyasachi Chatterjee**

**Mr. Sayan Banerjee**

**...For the petitioners.**

**Mr. Santanu Kumar Mitra**

**Mr. Amartya Pal**

**... for the State.**

**Mr. Tarun Kumar Chatterjee**

**Mr. Sujit Gupta**

**Mr. Sayan Datta**

**Mr. Soumen Chatterjee**

**... For the State Election Commission.**

**Mr. Anuran Samanta**

**... For the respondent no. 3.**

**Mir Anurussaman**

**... For the respondent no. 13.**

**Mr. Billwadal Bhattacharya, Ld. DSGI.**

**Mr. Tirtha Pati Acharyya**

**... For the Union of India.**

The petitioners contested the Panchayat General Elections, 2023.

A complaint was lodged before the Commission on July 11 followed by reminder dated July 12, 2023 highlighting the illegalities on the day of counting. The said representation is yet to be disposed of.

Without going into the merit of the allegations made in the complaint filed on behalf of the petitioners, the instant writ petition is disposed of by directing the State Election Commission to consider and dispose of the complaint filed on behalf of 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 petitioners immediately thereafter.

The learned advocate for the petitioners is directed to forward a copy of the complaint dated July 11, 2023 and July 12, 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.)**