

SL 92
31.07.2023
AGM

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 17343 of 2023

**Mansura Bibi
-versus
The State of West Bengal & Ors.**

**Mr. Saikat Chatterjee
Mrs. Salma Sultana Saha
Mr. Puranjan Pal
...For the Petitioner.**

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

The petitioner contested the Panchayat General Elections, 2023.

Her allegation is that nearly 1/3rd of the ballot papers were not signed by the Presiding Officer. It is alleged that the said ballot papers were misused for manipulating the result of the election. Complaint was lodged but the same is alleged to be kept pending.

It appears that a complaint was lodged before the concerned authority long after declaration of the results.

According to law, the complaint ought to have been lodged on the day of the counting.

As the same has not been done, the prayer of the petitioner for consideration of the objection cannot be allowed.

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 for redressal of her grievances, if so advised.

The CCTV/Video footages and the ballot papers in respect of the concerned constituency shall be properly preserved and be produced before the Court as and when directed.

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

(Amrita Sinha, J.)