

SL 93  
31.07.2023  
AGM

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

**W.P.A 17344 of 2023**

**Mrs. Rita Mallick  
-versus  
The State of West Bengal & Ors.**

**Mr. Lokenath Chatterjee  
Mr. Rahul Sarkar  
Ms. Dipika Sarkar  
Mr. Siddhant Srivastava  
Ms. Tatini Sengupta  
...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.

She alleges that her counting agents were not permitted to enter the counting venue.

A complaint was lodged but the same is yet to be considered.

It appears that complaint was lodged on 15<sup>th</sup> July, 2023 whereas the counting took place on 11/12<sup>th</sup> July, 2023.

Had there been a genuine grievance, complaint ought to have been lodged immediately.

As complaint was lodged before the concerned authority long after declaration of the results,

accordingly, the prayer of the petitioner for consideration of the representation 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.)**