

Item No.20

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

02.08.2023
Ct-24

WPA 17363 of 2023

Firoz Alam

v.

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

Mr. Subhrajit Saha

Mr. Badrul Karim

... For the petitioner.

Ms. Sonal Sinha

Mr. Tarun Kumar Chatterjee

Mr. Sujit Gupta

Mr. Sayan Datta

Mr. Soumen Chatterjee

Ms. Rituparna Saha

... For the State Election Commission

Mr. Santanu Mitra

Mr. Amartya Pal

... For the State.

Mr. Anuran Samanta

... For the respondent no. 3.

Mr. Billwadal Bhattacharyya

Mr. Tirtha Pati Acharyya

... For the Union of India.

The petitioner contested the Panchayat General Elections, 2023.

He alleges that on the day of poll he was severely beaten and thrown out of the polling station.

A complaint with a prayer for re-polling was submitted before the Block Development Officer and the

Station Election Commission on July 17, 2023 and July 18, 2023. The petitioner prays for consideration of the same.

It appears that the prayer made by the petitioner for re-poll was filed long after the declaration of the result.

Accordingly, there is no scope for directing the respondent authorities for consideration of such prayer.

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.)