

Item No.7

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

04.08.2023
Ct-24

WPA 17372 of 2023

Fatik Biswas

v.

The State of West Bengal & Ors.

Mr. Rahul Sarkar

Ms. Dipika Sarkar

Ms. Casurina Chatterjee

Ms. Tatini Sengupta

Mr. Siddhant Srivastava

...For the petitioner.

Mr. Santanu Kumar Mitra

Ms. Rama Halder

... For the State.

Ms. Sonal Sinha

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.

The petitioner alleges several illegalities on the date of counting.

The petitioner alleges that he was mercilessly beaten and thrown out of the counting center. The votes have been manipulated.

It appears that an objection dated July 13, 2023 addressed to the Hon'ble Governor was prepared. There is no proof of service of the said objection to either the Panchayat Returning Officer or the Election Commission.

In view of the above, the prayer seeking consideration of the said objection cannot be allowed. No relief can be granted to the petitioner in the instant writ petition.

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.)