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04.08.2023
d.p.

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

W.P.A 17417 of 2023

**Mosaraf Hossain
-versus
The State of West Bengal & Ors.**

**Md. Mokaram Hossain.
...For the Petitioner.**

**Ms. Sonal Sinha,
Mr. Tarun Kumar Chatterjee,
Mr. Sujit Gupta,
Mr. Sayan Datta,
Mr. Soumen Chatterjee.
...For the State Election Commission.**

**Mr. Lalit Mohan Mahata,
Mr. Ziaul Haque.
...For the State.**

The petitioner contested the Panchayat General Elections, 2023.

Allegation is made with regard to the discrepancy in the number of ballot papers found in the ballot box and the number of ballot papers counted.

Complaint was lodged before the Commission on 18th July, 2023. The same is alleged to be kept pending.

It appears that the result of the election was declared on 11th July, 2023 whereas the complaint was lodged long after the date of declaration of the result.

Accordingly, the prayer of the petitioner seeking 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 from approaching the appropriate forum by way of election petition, for redressal of her grievances, if so advised.

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.

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

Amrita Sinha, J.)