

Item No.12

In The High Court At Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side

07.08.2023  
Ct-24

**WPA 17475 of 2023**

**Najiya Begum**

**v.**

**The State of West Bengal & Ors.**

**Ms. Sayanti Sengupta**

**Mr. Jamiruddin Khan**

**...For the petitioner.**

**Mr. Lalit Mohan Mahata**

**Mr. Rudranil De**

**... 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 complains of rigging, booth capturing, false voting, violence and several other illegalities on the day of poll.

Complaint was lodged before the Panchayat Returning Officer on July 9, 2023. The same is yet to be disposed of.

It appears that the result of the election was declared on July 11, 2023 and at this belated stage the

prayer of the petitioner for re-poll cannot be accepted as the same may be prejudicial to the winning candidate.

The writ petition accordingly 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.)**