

SL 22
04.08.2023
AGM

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

W.P.A 17490 of 2023

**Khairun Khatun Bibi & Ors.
-versus
The West Bengal State Election Commission & Ors.**

**Mr. Sandipan Pal
Ms. Tithi Chakraborty
...For the Petitioners.**

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

**Mr. Wasim Ahmed
Md. Shahabuddin
... For the State.**

Affidavit-of- service filed today in Court be kept with the record.

The petitioners contested the Panchayat General Elections, 2023.

They raise allegation with regard to the discrepancy in the number of votes polled and the votes counted.

Objection was lodged before the respondent authority on 16th July, 2023.

The petitioner prays for consideration of the same.

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.

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.)