

SL 29  
04.08.2023  
AGM

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

**W.P.A 17516 of 2023**

**Akhirul Alam  
-versus  
The State of West Bengal & Ors.**

**Mr. Rabilal Maitra, Sr. Adv.  
Mr. Siddhartha Sarkar Mondal  
Mr. S. Ahmed  
Mr. Ujjwal Tribedi  
Mr. Nazimuddin  
Ms. S. Sengupta  
Ms. A. Das Sharma  
Mr. Rajit Lal Maitra  
Ms. Saloni Bhattacharya  
Mr. Arka Chakraborty  
...For the Petitioner.**

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

**Mr. Lalit Mohan Mahata  
Mr. Jagabandhu Roy  
... For the State.**

The petitioner contested the Panchayat General Elections, 2023.

He alleges false voting, booth capturing, rigging, violence and several other illegalities on the day of the poll. Complaint was lodged before the respondent authorities on the same day. The complaint is yet to be considered. The petitioner has relied upon photographs

to show that massive rigging took place on the day of polling.

Without going into the merits of the allegations of the petitioner, as it appears that a representation is pending consideration before the State Election Commission, accordingly, the instant writ petition is disposed of by directing State Election Commission to consider and dispose of the representation filed by the petitioner in accordance with law at the earliest but positively within a period of ten days from the date of communication of this order.

The Commission is directed to verify the CCTV/video footages of the polling centre on the day of the poll to arrive at a conclusion to the representation filed by the petitioner.

A reasoned order shall be passed and communicated to the petitioner immediately thereafter.

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.

Learned advocate for the petitioner is directed to forward a copy of the representation dated 8<sup>th</sup> July, 2023 seeking consideration along with all supporting documents to the aforesaid respondent at the time of communicating the order of the Court.

The constitution of the Board shall abide by the decision taken by the State Election Commission.

The writ petition stands disposed of.

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

**( Amrita Sinha, J.)**