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07.08.2023
d.p.

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

W.P.A 17629 of 2023

**Mohammad Salimudding
-versus
The State of West Bengal & Ors.**

**Mr. Chitta Ranjan Chakraborty,
Mr. Dip Jyoti Chakraborty,
Mr. Sumit Banerjee.
...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. Somnath Ganguly,
Ms. Priyanvada Singh.
...For the Respondent Nos. 6 and 7.**

The petitioner contested the Panchayat General Elections, 2023. He alleges several illegalities at the time of poll as well as at the time of counting.

A complaint was lodged before the respondent authorities on 13th July, 2023. The same is alleged to be kept pending.

The petitioner prays for re-poll and recounting.

It appears that the result of the poll was declared on 11/12th July, 2023. Any order for re-poll and/or

recounting at this stage may cause prejudice to the winning candidate.

In view of the above, the relief sought for by the petitioner 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.

Report file by the respondent nos. 6 and 7 be retained with the records.

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

(Amrita Sinha, J.)