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28.07.2023
d.p.

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

W.P.A 17751 of 2023

**Ranajit Mondal
-versus
The State of West Bengal & Ors.**

**Mr. Soumen Kumar Dutta,
Mr. Sabyasachi Bhattacharjee,
Mr. Abu Sohel.
...For the Petitioner.**

**Mr. Sayan Datta.
...For the State Election Commission.**

**Mr. Santanu Kumar Mitra,
Mr. Amartya Pal.
...For the State.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner contested the Panchayat General Elections, 2023. He alleges malpractice at the time of counting.

It has been submitted that the petitioner was threatened with dire consequences if complaint is lodged against such illegal activities.

Due to fear of life, the petitioner could not lodge complaint on the day of the counting but immediately thereafter on 13th July, 2023 complaint was lodged

before the Returning Officer. The said complaint is yet to be considered.

Learned advocate appearing for the State respondent submits that according to the provisions of law, complaint ought to have been lodged on the day of counting. The counting took place under strict videography and no complaint alleging any illegal activity was reported.

The agent of the petitioner was present at the time of counting.

Without going into the merits of the allegation made in the complaint filed by the petitioner, the instant writ petition is disposed of by directing the State Election Commission to consider and dispose the complaint filed by the petitioner at the earliest, but positively within a period of ten days from the date of communication of a copy of this order.

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

The learned advocate for the petitioner is directed to forward a copy of the complaint dated 13th July, 2023 along with all supporting documents and evidences to the State Election Commission at the time of communicating the order of the Court.

The Panchayat Returning Officer is directed to properly preserve the CCTV/Video footages and the ballot papers and produce the same as and when called for.

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.)