

SL 54  
05.09.2023  
AGM

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

**W.P.A 17814 of 2023**

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

**Mr. Kaustav Bagchi**

**... For the petitioner.**

**Mr. Santanu Kumar Mitra**

**Mr. Amartya Pal**

**... For the State.**

**Mr. Tarun Kumar Chatterjee**

**Mr. Sujit Gupta**

**Mr. Sayan Datta**

**Mr. Soumen Chatterjee**

**...For the Election Commissioner.**

The petitioner contested the Panchayat General Elections, 2023.

The petitioner alleges that there is serious discrepancy with regard to the votes counted as reflected in Form 22 (result sheet) which was obtained after the declaration of the result.

It appears that the complaint against the alleged discrepancy was lodged on 16<sup>th</sup> July, 2023.

The complaint ought to have been lodged immediately after the discrepancy came to the knowledge of the aggrieved party.

A complaint filed at a delayed point of time does not merit consideration.

According to the provisions of law, the prayer for recounting is required to be made on the day of counting, prior to declaration of result.

The same not being done, no relief can be granted in the instant case.

The writ petition fails and is hereby dismissed.

It will be open for the petitioner to approach the appropriate forum for relief, if permissible in law, for redressal of her grievance.

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

**( Amrita Sinha, J.)**