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Court 2023
No. 24
AGM

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

WPA 19033 of 2023

**Nasima Begam @ Nasima
Vs
The State of West Bengal & Ors.**

**Mr. Md. Sarwar Jahan
Mr. Amanul Iswlam
Mr. Arup Sarkar
Mr. Shahzad Noor Thander
Mr. Maidul Islam Kayal
Mr. Sourav Mukherjee**

... For the petitioner.

**Ms. Sonal Sinha
Mr. Tarun Kumar Chatterjee
Mr. Sujit Gupta
Mr. Sayan Datta
Mr. Soumen Chatterjee**

...For the Election Commissioner.

**Mr. L. M. Mahata
Mr. Ziaul Haque**

... for the State.

The petitioner alleges that the private respondents are contesting for the post of Pradhan which is reserved for OBC- Women relying upon certificates which were procured after the election was over and the said certificates may not be genuine. Complaint was lodged before the Block Development Officer, Sub Divisional Officer and the District Panchayat Election Officer. The same is yet to be disposed of.

Learned advocate representing the State respondents submits that the petitioner did not make out a case of false and forged certificate being relied upon by the private respondents. Mere allegation has been made

relying upon hearsay evidences from the local people.

There is no authentic document in support of the submission that the caste certificates may not be genuine.

Without entering into the merits of the allegation made by the petitioner, as it has been contended that the caste certificates relied upon by the private respondents in support of their reserved category was procured after the election was conducted, accordingly, the instant writ petition is disposed of by directing the Block Development Officer being the Panchayat Returning Officer to enquire and verify the genuinity of the caste certificates relied upon by the private respondents from the Sub Divisional Officer and thereafter take steps in the matter.

If it appears that the caste certificates were obtained fraudulently then necessary steps in accordance with law shall be taken against the persons who relied upon the said certificates. If the certificates are genuine, then the candidate elected as Pradhan shall be entitled to continue to remain in the said post.

The aforesaid exercise shall be concluded at the earliest but positively within a fortnight from the date of communication of this order.

Learned advocate for the petitioner is directed to forward a copy of the objection dated 03.08.2023 to the Block Development Officer at the time of communicating the order to the Court.

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.)